

AQUATIC RISK  
MANAGEMENT  
WATER SAFETY CONSULTANTS

Thomas C. Ebro

5525 Reflections Boulevard • Lutz, FL 33558-9017 • 813.792.9000 • FAX 813.792.9090 • tomcbro@tomcbro.com • www.tomcbro.com

June 24, 2005

Robert D. Kawamura  
Attorney at Law  
LAW OFFICE OF ROBERT D. KAWAMURA  
107 Lawyers Building  
550 Halekauwila Street  
Honolulu, Hawaii 96813

## Preliminary Expert Report

Re. Fukuoka v. Morning Star Cruises

Dear Mr. Kawamura:

This is my preliminary expert report concerning the above captioned case and it is based on the facts contained in the documents that you have furnished me. You had specifically asked me to render my expert opinions regarding the underlying proximate causal factors that precipitated this accident, specifically whether improper conduct existed on the part of any defendants associated with Morning Star Cruises. The preliminary expert opinions that I have rendered to you herein are based upon a reasonable degree of professional certainty and are founded on my education, training and experience in recreational scuba diving operations, aquatic risk management and water safety consulting. My opinions are subject to change should additional information become available.

My name is Thomas C. Ebro. My private firm's business address is Aquatic Risk Management, 19207 Pristine Place, Lutz, Florida 33558-9044. I am a full time consulting specialist in the fields of scuba diving, overall water safety and aquatic risk management. I graduated from the University of Oregon in 1965 with a Bachelor of Science degree in Recreation Management and Aquatics Administration. I have accumulated more than forty years of professional experience in administering water safety activities, operating scuba diving resorts and investigating/reconstructing more than 1,200 water accidents. I am a past certified instructor in Scuba Diving, Water Safety, Boating, First Aid, CPR, Small Craft, Waterskiing and Aquatic Risk Management. I have developed water safety training films and videos for the American National Red Cross concerning basic snorkel-diving and underwater search-and-rescue skills. I served for ten years as a Los Angeles County Aquatic Specialist and also as a Medical Examiner's Deputy Coroner. I instructed water safety specialists, aquatic facility managers, swim coaches, waterfront recreation leaders, instructors and lifeguards. During the past 20 years, I have had my own private practice consulting on water safety and aquatic risk management.

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With reference to this SNUBA drowning case, please be advised that I possess particular expertise in the specialty area of recreational scuba diving, including related commercial tour-excursion operations. For 10 years, as Director of Los Angeles County's Underwater Activities Unit, I administered Skin and Scuba diving education programs, including both certification and standards enforcement. I taught recreational divers (entry level through advanced specialties), administered underwater instructor courses, provided specialized training to the L.A. County Sheriff's Emergency Unit, instructed dive-boat captains and directed dive-master/underwater-guide activities at resorts. As the Los Angeles County Underwater Safety Committee's Executive Director, Chief Diving Officer and Medical Examiner's Deputy Coroner, I reported directly to Dr. Thomas Noguchi, Chief Medical Examiner of Los Angeles County, and was charged with conducting underwater fatality investigations.. For 8 years, I was General Manager and Director of Development of two "5-Star" scuba diving resorts, located in the Cayman Islands and The Bahamas. During the past 20 years in private practice, I have been consulted as an Expert Witness on more than 1,200 aquatic accident cases overall, with 75 of these constituting recreational scuba diving injuries and fatalities.

I was retained by you on June 17, 2005, to review the circumstances of 43-year old Mitsuko Fukuoka's August 14, 2002 snuba-diving accident and to render my opinions regarding cause and responsibility for same. I am submitting this preliminary expert report based upon my personal knowledge to date and I understand that it is to be used in the above captioned lawsuit. In rendering this preliminary expert report, although without yet having conducted an on-site inspection, I have reviewed the Ambulance Report Form, the Honolulu Police Department police report which also included Castle Medical Center records and the City and County of Honolulu Autopsy Report. Based on my review of these documents, I have the following opinion as to the cause of Mrs. Fukuoka's death.

Mrs. Fukuoka was 43 years of age and married to Shiroh Fukuoka and they had a minor daughter, Miho Fukuoka. She was reportedly in good health and a fairly strong swimmer. They were visiting Hawaii as tourists from Japan on August 14, 2002. On this day, they each participated in Morning Star Cruises, Inc.'s ("Morning Star") snuba diving activity in Kaneohe Bay, Hawaii, where the participants all wore diving helmets with air hoses leading from each diving helmet to Morning Star's "snuba rig". The dive activity took place on a diving barge anchored in Kaneohe Bay where a shuttle boat had transported the participants. The helmeted participants climbed approximately 15 feet down a ladder from the rig to the ocean floor where they could walk on the bottom and feed the fish. Approximately 5 minutes into the dive it was observed that Mrs. Fukuoka was having difficulty walking and she tried to climb back up the ladder. She had given the "sign for distress signal" to one of Morning Star's "instructor/guides" and was brought up to the surface "unconscious" by one of the snuba employees. When she first came out of the water, she was "unresponsive", "had no pulse", "couged up some bloody material and was pulled into the boat." One of the boat crew was a fireman who later reported that she "brought up about 2 cups of water with frothy-looking material" during her resuscitation. She was transported by the shuttle boat to shore, still unconscious, where emergency personnel also attempted to resuscitate her transported her by way of ambulance to the emergency room at Castle Medical Center. Mrs. Fukuoka died there two days later.

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The fact that this was a snuba activity immediately tells us that Mrs. Fukuoka could not have drowned unless water had penetrated into her helmet. The only way for water to have penetrated into her helmet was for the helmet's position to be compromised. It was not reported anywhere that Mrs. Fukuoka attempted to remove her helmet. Moreover, it was reported that Mrs. Fukuoka had difficulty walking and had given the company's distress signal, plus she had attempted to climb back up the ladder to the surface. It was incumbent upon Morning Star's employees to detect her emergency and ensure her safe and timely transport back to the surface. We know that this never occurred because she inhaled water and drowned.

Mrs. Fukuoka's death was caused by Morning Star's failure to detect her emergency and respond to her plight. Morning Star failed to conduct a proper safety check beforehand to prevent her helmet's position from becoming compromised. Her supervision underwater clearly fell below the standard of care. The "*instructor/guides*" who should have been closely watching her, failed to detect the onset of her emergency and responded too late. In my opinion, Mrs. Fukuoka's death was entirely preventable. Morning Star's negligent safety planning and underwater supervision egregiousness caused this needless drowning.

I have enclosed a copy of my Curriculum Vitae to accompany this preliminary expert report. Should any questions arise concerning either this subject matter or my report, please do not hesitate to contact me.

AQUATIC RISK MANAGEMENT



Thomas C. Ebro  
Water Safety Specialist

Enclosure

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TOM EBRO – WATER SAFETY CONSULTANTS5525 Reflections Blvd.  
Lutz, Florida 33558-9017TELEPHONE  
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(813)792-9090

## FAX TRANSMISSION

DATE: 3/30/05

TO: Mr. Kawamura

FROM: Wendy

FAX NUMBER CALLED: 808 523 3780

CASE NAME: Mitsuho Fukushima / Morning Star

NUMBER OF PAGES (INCLUDING COVER): 32

MATERIAL CONTAINED IN TRANSMISSION:

- ☐ Letter  
☒ Document for Review  
☐ Contract  
☐ Other:

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CURRICULUM VITAE

of

THOMAS C. EBRO

Aquatic Safety Specialist  
2004

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CURRICULUM VITAE**THOMAS C. EBRO**, Aquatic Safety Specialist

5525 Reflections Boulevard

Lutz, Florida 33558-9017

Telephone: (813) 792-9000

FAX: (813) 792-9090

E-Mail: [tomebro@tomebro.com](mailto:tomebro@tomebro.com)Website: [www.tomebro.com](http://www.tomebro.com)PERSONAL DETAILS:

Age: 63-yrs

Height: 6' 3"

Married - No children

Weight: 260-lbs

Fluent in 3-languages:

Born in Tallinn, Estonia (The Baltics)

(English/German/Estonian)

Naturalized as US-citizen in 1958

EDUCATION: Bachelor of Science (B.S.) - University of Oregon - 1965  
Major: Recreation Management & Aquatics Administration

CURRENT PRIVATE PRACTICE OVERVIEW:

In business with a private aquatic safety consulting practice since 1985 with over 1,200 plaintiff and defense cases, my private firm **TOM EBRO - AQUATIC RISK MANAGEMENT** provides comprehensive aquatic litigation support services to attorneys handling products liability and water-related injury and death cases.

My Areas of Specialization:

- \* Aquatic risk management and emergency response protocols
  - \* Water safety staff evaluation, training & performance audits
    - \* Plan review, safety specifications, code/standards compliance
    - \* Development or review of aquatic safety signage & warnings
    - \* Aquatic resort planning, development, operational safeguards
- \* In-ground/Above-ground swimming pools and hot-water spas
  - \* Ocean beaches & inland waterfront operation safety standards
    - \* Waterpark attractions (slides, wavepools, cable-tows, tube-rides)
    - \* All boating, personal watercraft, tow-rope sports, parasailing
    - \* Skin & SCUBA diving standards, equipment, commercial operations

My Litigation Support Services:

- \* Preliminary discovery review and case merit valuation
  - \* On-site aquatic accident investigation and reconstruction
    - \* Lawyer orientation with relevant aquatic standard of care
    - \* Insights into opposing-side aquatic theories and strategies
    - \* Hindcasting aquatic behavioral & biomechanical scenarios
- \* Equipment failure analysis and product performance testing
  - \* Aquatic facility safety audits including warnings adequacy
    - \* Court exhibits (mounted photos, videos, forensic models)
    - \* Answering interrogatories, including affidavits and reports
    - \* Giving expert witness testimony during deposition and trial

My Operational Support Facilities:

- \* Professionally staffed, modern two-story new office facility (connected to my residence)
  - \* Large aquatic library of codes, specifications and industry standards
  - \* Computer-networked aquatic research center and documents database
    - \* Industrial digital & SVHS video apparatus with editing studio on-premises
    - \* Affiliated aquatic testing-lab facilities with highly skilled water experts



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- \* Precision measurement instruments for slippage, lighting, slope, velocity, water-chemicals
- \* Complete underwater equipment for photo and video documentation
- \* 35' Formula "FasTech" high-performance motor-vessel and Zodiac inflatable watercraft

#### CAREER AND EDUCATIONAL BACKGROUND:

**Summary Overview:** "More than 40-years of professional aquatics experience including litigation support service in over 1,200 aquatic cases, within 49 U.S. States, Antigua, The Bahamas, Canada, Cayman Islands, Costa Rica, Jamaica, Martinique, Mexico, Puerto Rico, St. Lucia, Turks & Caicos, and The Virgin Islands."

- \* University graduate holding specialty degree in aquatics recreation
- \* Ten years as Aquatic Director for Los Angeles County Government
- \* Medical Examiner's Deputy Coroner investigating all aquatic fatalities
- \* Instructor: Scuba, First-Aid, CPR, Water-Safety, Boating, Water-skiing
- \* Produced American Red Cross aquatic safety training films & videos
- \* Trained underwater instructors, police, firemen & commercial-divers
- \* Featured speaker at numerous aquatic safety seminars/conferences
- \* Recordholder in commercial-sponsored ocean powerboating events
- \* Six-years of aquatic-theme resort/hotel development & management
- \* 18-years of safety consultation, accident investigation/reconstruction
- \* Safety-consulting/Product-testing for Zodiac and Sevylor inflatables
- \* Featured on national television: 20/20, Inside Edition, Discovery, CNN, Court TV

**1985 – Present** CONSULTING PRACTICE & LITIGATION SUPPORT SERVICE (My private firm)  
Tampa Bay (Lutz), Florida

Following my more than 28-years' accumulation of "hands-on" professional field experience in aquatics, I returned from the Caribbean and established a private consulting practice, presently named **TOM EBRO – AQUATIC RISK MANAGEMENT**, devoted to aquatic risk management and litigation support consulting, with the firm's offices currently based in Lutz, Florida. My aquatic safety consulting practice (pro-actively) specializes in aquatic accident prevention ... conducting testing of equipment and on-site safety inspections plus providing remedial consultation availability to resort-hotels, commercial waterparks, public recreation agencies, swimming pools, beaches/waterfronts, insurance companies, the boating industry and aquatic equipment manufacturers. My aquatic litigation support practice (reactively) specializes in water accident reconstruction, forensic investigation, consulting on cases, and providing expert witness services to the legal community on a wide variety of recreational aquatic accident and death matters. In total, this translates into 18-years of accumulated "hands-on" litigation-support with courtroom-testifying experience and handling of over 1,200 prior cases for both Plaintiff and Defense.

My direct experience in serious and/or fatal aquatic accident investigation has provided me the expertise to determine causal factors, recommend corrective action, and implement operational, maintenance and safety training programs to minimize litigation exposure. And, in working with both Plaintiff and Defense attorneys on over 1,200 cases, I have found that the combination of my firm's reliance on extensive aquatic reference resources, hands-on professional expertise, and meticulous preparation skills to be "keys to success" for the law firms I serve. A sampling of the services I provide includes:

\* **Aquatic Accident Analysis:**

Forensic reconstruction of aquatic accidents. Specialized photography and video documentation. Time/Motion re-enactment at the surface and below. Measuring slip-resistance on wet walking surfaces.

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\* **Aquatic Safety Engineering:**

Safety-survey of aquatic facility design, construction, maintenance and operation. Hazard foreseeability. Warning signs. Legal compliance. Industry standards. Staff evaluation. Emergency action plan.

\* **Aquatic Human & Biomechanical Factors:**

Drowning accidents. Spinal cord injuries from diving into shallow water. Slips and falls. Water slide accidents. Boating and Jet Ski accidents. Water-skiing related accidents. SCUBA diving accidents.

\* **Aquatic Product Liability:**

Failure analysis and performance testing of aquatic products. Confirming misuses and hidden causal defects. Industry standards. Aquatic environmental factors. The adequacy of warnings and instructions.

**1981 - 1985     DIRECTOR OF DEVELOPMENT, Rum Cay Club (A "Members-Only" Resort/Hotel)**  
The Bahamas.

From inception, I was in charge of directing the entire development of this luxurious beach resort/hotel on a remote Caribbean island. Exclusively designed for advanced SCUBA-divers and underwater photographers, this posh resort featured luxury accommodations, a gourmet restaurant/lounge, a conference center, private air-transportation and a "state-of-the-art" SCUBA-diving operation.

The theme of this resort focused exclusively on ocean recreation – featuring advanced level SCUBA-diving and underwater photography concentration with supervised underwater-tours, specialty aquatic-instruction, boating, sailing, windsurfing, swimming, beach and spa activity. A sampling of my "aquatics-related" achievements included:

- \* I recruited, personally trained and supervised all aquatic personnel including the instructors, dive masters and boat captains.
- \* I designed the resort's two custom built 34-foot "tri-hull flattop" dive boats, specially adapted for rough seas, with the latest electronics and convenience features for underwater photographers.
- \* I installed an elaborate "twin-compressor" air station, a 10,000-cu/ft. cascade system, the logistics for transporting over 200 SCUBA-cylinders, and conducted technical maintenance training.
- \* I personally selected and purchased the resort's aquatic inventory including SCUBA gear, motor vessels, outboard engines, catamarans, beach equipment, pier hardware, emergency-room supplies, etc.

Upon expiration of my four-year "turn-key" contract, I decided to start my own business and pursue an independent aquatic consultation career.

**1978 - 1980     RESIDENT GENERAL MANAGER Spanish Bay Reef Resort/Hotel**  
Cayman Islands, British West Indies.

As the hotel's General Manager, I was in charge of daily operations and personally directed the expansion of SPANISH BAY REEF RESORT, an exclusive watersports resort/hotel in the Cayman Islands. It was a luxurious waterfront property with 25 secluded bungalows, a gourmet restaurant, a bar/lounge with native entertainment, a large swimming pool and marina, plus exceptionally elaborate SCUBA-diving facilities.



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My principal responsibility there was to create an "aquatics-theme" operation – featuring advanced level SCUBA-diving and underwater photography with supervised underwater tours, aquatic-instruction, boating, sailing, windsurfing, swimming, beach and marina activity. A sampling of my "aquatics-related" achievements included:

- \* I recruited, personally trained and supervised all aquatic personnel including the instructors, dive masters and boat captains.
- \* I personally designed and directed the construction of the outdoor swimming pool and I selected its circulation, filtration, chemical-feed, and automatic timing systems.
- \* I created a "state-of-the-art" SCUBA-diving operation tailored to underwater photography, with hi-tech facilities, custom diveboats, equipment rental/repair, a color photo-lab & instruction programs.
- \* I attained the 1978 Undercurrent Magazine rating as "Best of the Lot" in a Caribbean comparison survey of SCUBA resorts. I also received Cayman's "Outstanding Hotel Administrator" award.

After 3 years, I left, because the resort was sold and the new shareholders wished to operate the resort themselves. I lived aboard my powerboat and cruised throughout the Caribbean for one year.

**1974 - 1978**      **GENERAL MANAGER**   David and Dash International Corp.  
Miami, Florida

As Corporate General Manager, I performed all executive functions for this international corporation, establishing the goals and directing the activities of all section supervisors. David and Dash is the leading converter, importer, hand printer and manufacturer of interior design textiles and wall coverings to the hospitality industry. Our annual sales exceeded \$10-million. My responsibilities included directing the overall operation of our headquarters and plant facilities in Miami, as well as supervising all administration levels and coordinating all sales activities of our domestic and foreign showrooms.

After 4 years, I voluntarily resigned my Corporate General Manager position in 1978, and moved away from the United States to work in the Caribbean resort-hotel industry as a Resident General Manager at a spectacular dive resort in the British West Indies.

**1965 - 1975**      **SENIOR AQUATIC SPECIALIST**   L. A. County, Department of Parks & Recreation  
Los Angeles, California.

For ten years I ran the Los Angeles County Aquatics Program. My countywide scope of responsibility extended over 4,083 square miles into more than 100 municipal and private agencies, and encompassed the total planning, development and operation of all public aquatic programs at marine facilities under County jurisdiction. Of historical significance, during my ten years of administration and direct supervision, the L.A. County Underwater Program is solely credited with originating today's worldwide level of SCUBA certification standards and safety legislation.

Because of the uniqueness of my position, I was recognized as a top authority and consultant in aquatics. I traveled extensively giving presentations. I conducted countless public events including major local and national diving conferences. I have written technical articles and training manuals which still remain in wide use today. I have also developed public service TV-film clips, radio-spots, and have produced, narrated and performed in motion pictures dealing with aquatic safety, lifeguard training and marine-environment topics. Examples of the varied aquatic programs I conducted include:

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\* **Aquatic education programs; Safety training; Standards regulation; Team-competition & tournaments; Aquatic publications & film media:**

Conducted widespread aquatic-leadership training including the certification of novice swimming & springboard diving-coaches, skin & SCUBA instructors, synchronized water-ballet coaches, canoeing & small-craft instructors, plus aquatic teachers for the disabled. Conducted mass-scale aquatic tournaments, league competition and culminating championship events involving hundreds of public swimming pools and attracting enormous public participation. Maintained a continuous liaison with all aquatic industry leaders, manufacturers, swim clubs, marine retailers, publications, regulatory and safety agencies, and instructor organizations.

\* **Basic & advanced SCUBA certification and instructor courses:**

From inception, my office pioneered this sport's early development and safety standards; Enforced the nation's highest instructor requirements and public instruction standards; Regulated the annual re-certification of more than 300 SCUBA-instructors; Issued more than 1,000 public certification-cards monthly; Produced classroom aids and publications; Appointed and supervised advanced training staffs; Monitored performance and conduct standards; Furnished specialized underwater training to police, coroners, firemen, NASA-scientists, lifeguards and the physically handicapped.

\* **Aquatic accident investigation and research:**

I functioned as the Medical Examiner's Deputy Coroner-Investigator and was in charge of coordinating forensic investigation of aquatic fatalities in Southern California; Participated in autopsies and laboratory examinations, did technical evaluation of breathing gases and equipment, gave expert opinion and legal testimony during inquests, and published annual research findings; Served as the Chief Diving Officer for Los Angeles County Government, as the Executive Director of Los Angeles County's Underwater Safety Committee and as a liaison-advisor to the U.S. Navy Submarine Medical Command.

\* **Produced aquatic publications and training-films:**

Editor/Publisher of basic SCUBA-diving textbook and monthly magazine; contributed articles to aquatic publications; Produced film-clips for television; Consulted, narrated and was the featured performer for the American Red Cross motion picture series on "Water Safety," currently being distributed worldwide; forensic photo-reconstruction of aquatic accidents; developed a public aquatic resource library and speakers bureau; generated original research and underwater survey material from graduating course participants and launched aquatic promotions and safety campaigns.

\* **Vocational rehabilitation diver-training for inmates:**

Co-founded today's only commercial deep sea diving vocational prisoner rehabilitation training program at the State Correctional Institution in Chino, California; negotiated for Federal funding and surplus military diving hardware and organized the curriculum, etc. The program operates successfully today, with recidivism practically non-existent and career placement assured to the parolees in advance by major offshore diving companies.

\* **Underwater ecology and kelp-restoration:**

Initiated various public ecology programs and kelp restoration efforts in Southern California; was instrumental behind the Palos Verdes Underwater Park development; participated with Cal-Tech toward generating joint-governmental funding and environmental legislation; received a grant from the County Fish & Game Commission to initiate volunteer programs to control kelp devastation by sea urchins; served on most underwater preservation and park-planning commissions for Los Angeles County and the State and was instrumental in the public domain acquisition of Catalina Island and headed its underwater preservation board.

After 10 years, I voluntarily resigned from the public sector to enter into the private industry hotel-management field. My father-in-law, at the time, was the Vice President of Hilton Hotels Corporation and he assisted in arranging my next career move, to General Manager, of an international hotel subcontractor firm.

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**1959 - 1965**     **AQUATICS DIRECTOR**     Portland, Oregon  
                          Multnomah County Parks & Memorials Department

For a total of six summers, I worked for Multnomah County's Department of Parks and Memorials. For 2-years I worked as a Lifeguard; followed by 1-year as Head-Lifeguard; and for 3-years as Aquatics Director. The "Blue Lake Park" facility I assisted in developing and managed was then Oregon's newest and largest regional aquatic complex, indeed one of the nation's earliest waterparks, with a seasonal staff numbering over one hundred employees. The aquatic programs I directed were county-wide in scope and included swimming & diving instruction, competitive meets, water safety courses, canoeing & boating, lifeguard contests, and specialized military survival training programs. Multnomah County government and the University had formally arranged for my seasonal work to be closely evaluated and academically credited as "professional internship" wherein I was allowed to implement the numerous "cutting-edge" aquatics concepts that I had learned in my classes.

**1963 - 1965**     **UNIVERSITY OF OREGON**     Eugene, Oregon

**1961 - 1963**     **PORTLAND STATE UNIVERSITY**     Portland, Oregon

**1960 - 1961**     **LEWIS AND CLARK COLLEGE**     Portland, Oregon

At age 24, I graduated from the University of Oregon and earned a Bachelor of Science degree in Recreation Management and Aquatics Administration. This specialized two-year curriculum was offered by the University's Health, Physical Education and Recreation Department. During those two years, my formal practical-internship consisted of working part-time and seasonally for Multnomah County's Parks Department, participating in the designing, construction and operation of 'Blue Lake Park,' a regional

public waterpark. This futuristic aquatic facility proved to be one of the earliest forerunners to subsequent proliferation of hi-tech waterparks.

For two years, I attended Portland State University completing my undergraduate work. And the prior year, on returning from active duty in the Marines, I had started my formal education in Lewis and Clark College.

**1958 - 1966**     **U.S. MARINE CORPS**     (Honorable Discharge) Camp Pendleton, California

At age 17, immediately following high school, I enlisted in the U.S. Marine Corps and, in 1960, assumed the Military Occupational Specialty (MOS #8563) "Water Safety Survival Instructor." I worked as a lifeguard, taught swimming, instructed in amphibious survival and, as a diver, recovered tools dropped overboard during pontoon-bridge construction exercises. I was also the Assistant Editor of the base newspaper within the Public Information Office. Following 6-months of active duty, I enrolled in college and completed my 8-year military service-tour in the reserves, training on alternate weekends and for two-weeks each summer.

**1940 - 1958**     **FOREIGN & DOMESTIC EDUCATION**     Europe and the United States

I was born in Tallinn, Estonia during Soviet occupation of the Baltic countries in 1940. Our family escaped to Germany during World War 2. I attended numerous elementary schools in refugee camps throughout Europe prior to emigrating into the United States in 1951. I grew up in the midst of various Western nationalities and cultures. I attended two high schools in Portland, Oregon (Cleveland HS - 1-year and Jefferson HS - 3-years). I acquired fluency in three languages (Estonian, German and English) and became a naturalized U.S. citizen upon high school graduation in 1958.

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**SUPPLEMENTARY DETAILS, SKILLS & ACCOMPLISHMENTS:**

- \* **Incorporated in the State of Florida** – with two private companies: (Presently these two companies do not operate independently; their functions are combined: TOM EBRO - AQUATIC RISK MANAGEMENT)

**Tom Ebro, Inc. (Tax I.D. #59-2628858)**

**d/b/a Tom Ebro – Aquatic Risk Management**

A "reactive" litigation support service business wherein I function as the sole private practitioner consulting exclusively in the Aquatic Safety related investigation and research specialty.

**Aquatic Risk Management, Corp.**

**d/b/a Tom Ebro – Aquatic Risk Management**

A "proactive" safety-recommendation service business wherein my company furnishes aquatic risk management consultation and safety-auditing to commercial aquatic facilities and manufacturers.

- \* **41-years photography experience** – I possess commercial video and photography equipment (both surface and underwater capacity); I am trained in forensic photo/video documentation; My experience includes photo-darkroom and video-editing, film production, script-writing and voice-narration; I've prepared numerous court exhibits.
- \* **Recordholder in ocean-powerboating** – In 1980 I completed a record 3,000-mile open ocean voyage to South America with a 25-foot racing powerboat. Commercial sponsors for this challenging feat included Rolex, Carrera, Champion, CRC and Thunderbird Boats. The accomplishment included my survival through "Hurricane Allen" and it was featured in U.S. boating magazines, including on television and in newspapers throughout the Caribbean.



# PROFESSIONAL CREDENTIALS AND AFFILIATIONS

Certified Oxygen Administration for the Professional Rescuer.....	American Red Cross - *2002
Certified Lifeguard Training and Community First Aid and Safety.....	American Red Cross - *1992
Certified CPR for the Professional Rescuer .....	American Red Cross - *1992
Certified AWSA Level-1 Water-skiing Instructor .....	American Water Ski Association - 1994
Certified Master Clinician of Risk Management.....	American Alliance Hlth/PE/Rec/Dance - 1993
Certified NSPF Swimming Pool & Spa Operator.....	National Swimming Pool Foundation - 1985
Certified CPR Instructor (Thereafter Instructor/Trainer) .....	American Heart Association - 1970
Certified Water Safety Instructor .....	American Red Cross - 1968
Certified Advanced First Aid Instructor.....	American Red Cross - 1968
Certified Medical Examiner's Deputy Coroner.....	County of Los Angeles - 1967
Certified Underwater Instructor .....	County of Los Angeles - 1966
National Aquatic Coalition.....	NAC - *2003
PADI Diving Society (Charter Member).....	PADI - *2001
United States Lifesaving Association.....	USLA - *2000
American Society for Testing and Materials (F-24 Committee).....	ASTM - *2000
United States Water Fitness Association .....	USWFA - *2000
International Association of Marine Investigators .....	IAMI - *1997
National Speleological Society.....	NSS - *1995
American Canoe Association .....	ACA - *1995
Divers Alert Network.....	DAN - *1995
Diving Equipment and Marketing Association (Charter Member) .....	DEMA - *1995
Professional Pool Operators of America .....	PPOA - *1994
American Board of Forensic Examiners.....	ABFE - *1994
Water Sports Industry Association .....	WSIA - *1994
Marina Operators Association of America.....	MOAA - 1994
National Safe Boating Council.....	NSBC - *1993
American College of Forensic Examiners .....	ACFE - *1993
American Assn. of State Boating Law Administrators .....	NASBLA - *1993
Academy Marine Science & Undersea Research .....	AMSUR - *1993
Cave Diving Section of the National Speleological Society .....	NSS-CDS - *1992
National Association of Cave Diving.....	NACD - 1992
Personal Watercraft Riders Association.....	PWRA - 1992
International Association of Amusement Parks and Attractions.....	IAAPA - *1991
National Assn. Amusement Ride Safety Officials .....	NAARSO - *1991
National Recreational Boating Safety Coalition.....	NRBSC - *1990
Boat Owners Association of the United States.....	BOATUS - *1990
American Whitewater Association.....	AWA - *1990
International Association of Dive Rescue Specialist.....	IADRS - *1990
National Drowning Prevention Network.....	NDPN - *1988
National Recreation and Park Association.....	NRPA - *1988
American Boat and Yacht Council.....	ABYC - *1987
USA Water Ski Previously: The American Water Ski Association - AWSA).....	USAWS - *1987
American Academy of Forensic Sciences.....	AAFS - 1986
National Forum for Advancement of Aquatics.....	NFAA - 1986
World Waterpark Association.....	WWA - *1986
Aquatic Injury Safety Group.....	AISG - 1988
American Public Health Association.....	APHA - 1986
National Water Safety Congress.....	NWSC - *1986
Council for National Cooperation in Aquatics.....	CNCA - 1985
National Spa and Pool Institute.....	NSPI - *1985
Undersea and Hyperbaric Medical Society.....	UHMS - *1985
Bahamas Dive-Resort Operators Association (Secretary).....	BDA - 1984
National Forensic Center.....	NFC - *1983
Caribbean Underwater Resort Operators Association.....	CURO - 1983
Caribbean Hotel Association.....	CHA - 1978
American Littoral Society.....	ALS - 1973
Los Angeles Athletic Club (Aquatic Instructor).....	LAAC - 1973
American Heart Association (Los Angeles County).....	AHA - 1972
American National Standards Institute (Z-86 Committee).....	ANSI - 1971



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The Oceanic Society (Charter Member) .....	TOS - 1970
California Department of Corrections - Commercial Diver Training Program .....	CDC - 1969
Southern California Public Pool Operators Association .....	SCPPOA - 1966
Southern California Municipal Athletic Federation .....	SCMAF - 1966
Greater Los Angeles Council of Divers .....	GLACD - 1966
American Alliance for Health/PE/Recreation/Dance .....	AAHPERD - *1965
Los Angeles County Underwater Safety Committee Director .....	LACUWSC - 1965
Los Angeles County Underwater Instructors Association .....	LACUIA - *1965
Underwater Society of America .....	USOA - *1965
International Oceanographic Foundation .....	IOF - 1965

\* = Current memberships

REFERENCES:

The resume chronologically lists all my past employment. References available upon request – personal, professional and client law firms.

Last updated: January 2004

THOMAS C. EBRO - AQUATIC RISK MANAGEMENT  
Aquatic Injury Litigation Support Services

NUMBER OF CASES BY GEOGRAPHY

Alabama 23	Idaho 4	Mississippi 21	Puerto Rico 9
Antigua 1	Illinois 23	Missouri 10	South Carolina 9
Arizona 9	Indiana 17	Montana 2	South Dakota 2
Arkansas 3	Iowa 4	Nebraska 5	St. Lucia 1
Bahamas 2	Jamaica 1	Nevada 5	Tennessee 13
California 88	Kansas 5	New Hampshire 3	Texas 71
Canada 20	Kentucky 18	New Jersey 35	Turk & Caicos 1
Cayman Islands 1	Louisiana 33	New Mexico 12	Utah 4
Colorado 11	Maine 2	New York 38	Vermont 1
Connecticut 13	Martinique 1	North Carolina 12	Virgin Islands 5
Costa Rica 1	Maryland 31	North Dakota 3	Virginia 16
D.C. 10	Massachusetts 16	Ohio 49	Washington 8
Florida 340	Mexico 5	Oklahoma 12	West Virginia 13
Georgia 23	Michigan 70	Oregon 2	Wisconsin 10
Hawaii 21	Minnesota 11	Pennsylvania 32	

NUMBER OF CASES BY TYPE

CASE TYPE: Aquatic Facility

Aboveground Pool	28
Residential Pool	87
Public Pool	317
Hot-tub & Spa	20
Inland Waterways	247
Docks & Marinas	49
Public Waterparks	149
Ocean Beaches	162
Motorboats	131
Cruise Ships	7

CASE TYPE: Aquatic Activity

Swimming	322
Diving/Sliding	294
Bodysurfing	6
Water Skiing	55
Kneeboarding	16
Inflated Towable	38
Parasailing	5
Personal Watercraft	102
Whitewater rafts	7
Skin/SCUBA	79

CASE TYPE: Aquatic Accident

Near Drowning or Drowning	455	Boat capsizing or sinking	17
Dive or slide into shallow water	170	Slips & falls, aquatic facilities & boats	73
Defective pool gate or enclosure	40	Explosions, gas-fumes, SCUBA-tanks	3
Inadequate warnings & signage	95	Tow rope recoils and entanglements	21
Hidden UW drop-offs & obstacles	23	Whipping skier, kneeboarder, towable	26
Lifeguarding or staff negligence	162	Boat collisions or on-board trauma	111
Neglectful supervision of children	53	Waterski-bindings failure	18
Cloudy water & pool inadequacy	41	Underwater dive-buddy separation	25
Entrapment on bottom drain-grate	18	SCUBA-diving equipment failure	14
Other entrapments underwater	11	Douche injuries on speed slide runout	8
Excessive spa water temperature	2	In-flume stoppage, sliding in a train	21
Horseplay, intoxication & drugs	23	Bottom-strike in shallow splash pool	31
Boat propeller contact & lacerations	29	Collision with flume or flange	35
Alligator attacks & marine life injury	1	Body & tube impacts in wavepools	7

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AQUATIC RISK MANAGEMENT

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**THOMAS C. EBRO - AQUATIC RISK MANAGEMENT**  
**Aquatic Injury/Death Litigation Support Services**

**Partial List of Cases**

<u>Case # - Pltf/Def - Location</u>	<u>Case Type &amp; Name</u>	<u>Description</u>
<b>Boating / Capsizing (5 cases – 4-pf / 1-df)</b>		
8832 Plaintiff San Antonio, Texas	Rhodes v. Steve's Marine	Waves swamped and overturned boat
9151 Plaintiff Grand Turk, Turks & Caicos	Koerner v. Club Med	Surf capsizing pinned hand under boat
9160 Plaintiff Lake Sammamish, Washington	State of Washington v. Roth	Homicide investigation, inflatable capsizing
9637 Defense West Bloomfield, Michigan	Bastanfar v. Pierce	Canoe capsizing, no PFD's worn, drowning
9857 Plaintiff Meridian, Idaho	Konopacky v. Ralston	Boat capsized, drowning, no PFD
<b>Boating / Collision (24 cases – 19-pf / 5-df)</b>		
8865 Defense New York, New York	Hechtman v. Prindle	Boats collided and passengers were injured
9028 Defense St. Joseph, Michigan	Hadary v. Hansen and Weaver	Boat collision killed one of the passengers
9124 Plaintiff Biscayne Bay, Florida	Cogan v. Fittipaldi	Marine Patrol boat collided with other vessel
9203 Plaintiff Conover, North Carolina	Isenhour v. Ramsey	Boat occupant struck head against bridge
9326 Plaintiff Tustin, California	Fulgham v. I.H.B.A.	Race boat crashed; buckle failed; injuries
9459 Plaintiff Stevensville, Michigan	Gerlach v. Kunkel	Boats collided, killed one driver *Fatal
9505 Plaintiff Alton, Illinois	Horn v. Dunlap & Bass Federation	Boats collided, killed one driver *Fatal
9553 Defense North Miami Beach, Florida	Santiago Rodriguez	Boats collided, ejected from boat *Fatal
9767 Plaintiff Annapolis, Maryland	McCubben, et al. v. Zaccari	Boat struck rowboat, improper lookout
9804 Defense Akron, Ohio	Good v. Ohio Edison v. Chaykosky, et al.	Collided into utility tower, intoxicated
9826 Plaintiff Metairie, Louisiana	Duplechien, et al. v. Farac, Jr., et al.	Boat ran over fallen towable rider
9828 Plaintiff Southfield, Michigan	Corbeil v. Phillips/Mann	Boat collided, man pinned under boat
9908 Plaintiff Coeur D'Alene, Idaho	Utke v. Sanders	Boat collided into fallen towable rider
0169 Plaintiff Salisbury, North Carolina	Williams v. American Bass Fishing Club	Boats collided, child thrown *Fatal
0105 Defense San Juan, Puerto Rico	Peemoller Sultan v. Carlos Soto	Boat struck skin diver, no flag or buddy *Fatal
0207 Plaintiff Los Angeles, California	Griffin v. Chevron US, Inc.	Boat struck unlighted buoy *Fatal
0228 Plaintiff Cedartown, Georgia	Loudermilk v. Fisherman's Bass Circuit Inc.	Bass boat stuck houseboat *Fatal
0369 Plaintiff Claremont, California	Duval v. Evans	21 ft. jet boat collided with victim
<b>Boating / Propeller Injury (28 cases – 22-pf / 6-df)</b>		
8504 Plaintiff Corai Gables, Florida	Rendall v. Karabas	Foot severed by boat's propellers
8511 Defense Metairie, Louisiana	Undetermined	Occupants were ejected and struck by boat
8716 Plaintiff Baton Rouge, Louisiana	Evans v. Bennett	Occupant fell overboard and was run over
8802 Plaintiff Philadelphia, Pennsylvania	Levin v. Bates	Inattentive boat driver ran over a fallen skier
8834 Plaintiff Key West, Florida	Calabro v. Burgess	Raceboat collided during race; prop injury
8908 Plaintiff Bradenton, Florida	Cole v. Eubanks & Manatee County	Boat ran over a skindiver; leg was amputated
8923 Plaintiff Miami, Florida	Redmon v. Carr	Boarding waterskier sliced his leg on prop
8945 Plaintiff New York, New York	Schenck v. Walt Disney World	Ferryboat ran over a patron in rental boat
8954 Plaintiff Bloomfield, Michigan	Koble v. Tabor	Swimmer was run over by a boat *Fatal
9037 Plaintiff Clearwater, Florida	Meyer v. City of Clearwater	Boat ran over a swimmer close to buoys
9120 Defense Miami, Florida	Stamper v. Goldring/Hewes	Boat without kill-switch ran over the driver
9259 Defense Costa Mesa, California	Riley v. Zodiac of North America	Boat ran over ejected driver, prop injuries
9330 Plaintiff Glasgow, Kentucky	Raines v. Renken Boat Manufacturing	Boat without kill-switch struck ejected driver
9350 Defense Ventura, California	Kavezadeh v. Zodiac of France	Prop injury, woman fell overboard off pontoon
9401 Plaintiff Kissimmee, Florida	Caban v. Walt Disney World	Prop injury, boy's arm mangled by propguard
9469 Plaintiff Dallas, Texas	Ramsey v. Catfish Bay Marina	Boat rental propeller laceration on fallen tuber
9538 Plaintiff Seattle, Washington	Karl Becker v. US Marine	Sharp boat turn threw passenger, prop injuries
9574 Plaintiff Salisbury, Maryland	Higgins v. Ocean City Amusement Park	Skeeter boat flipped, passing prop injured rider
9731 Plaintiff Prince Frederick, Maryland	State of Maryland v. O'Meara	Alleged murder: boat ran over passenger *Fatal
9749 Defense Glens Falls, New York	Saglimbeni v. Mitola	Idle boat ran over fallen PWC rider, prop injury
9811 Plaintiff Tampa, Florida	O'Neil v. Coin Currency & Document Sys.	Boat propeller lacerations on swimmer *Fatal
9901 Plaintiff Miami, Florida	Charpentier v. Sol Melia, et al.	Boat towing banana boat ran over bather
9909 Plaintiff Rancho Cucamonga, California	Gilbert v. Wilson, et al.	Occupant fell overboard a pontoon boat *Fatal
9958 Defense Tampa, Florida	Porreca v. Dunlap	Capsized boater hit by rescue boat prop *Fatal
0340 Plaintiff Oxford, Massachusetts	Jolin v. Sullivan, Reardon & Landau Boats	15 yr. old sucked under boat into propeller
0350 Plaintiff Cheshire, Connecticut	Mark Ure v. Camp Sloane YMCA, et al.	Propeller injury from boat while waterskiing

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**Boating / Drowning / Near Drowning (14 cases / 9-pf / 5-df)**

8605 Plaintiff Martinez, California  
 8710 Plaintiff Claremont, California  
 8726 Plaintiff Los Angeles, California  
 8847 Plaintiff Greenville, South Carolina  
 8902 Defense Englewood, California  
 8915 Plaintiff Clearwater, Florida  
 8926 Defense Miami, Florida  
 8961 Plaintiff Ship Bottom, New Jersey  
 9261 Defense Maysville, Kentucky  
 9530 Defense Birmingham, Michigan  
 9557 Plaintiff Spartanburg, South Carolina  
 9726 Defense Joplin, Missouri  
 0124 Plaintiff Somerset, Kentucky  
 0331 Plaintiff Albuquerque, New Mexico

Nejedy v. City Walnut Creek  
 Undetermined  
 Jauker v. Eliminator Boats  
 Griffith v. Clemson University  
 Geringer v. Pelican  
 Bass v. Board of Regents  
 Diaz v. Academy Broadway  
 Liddle v. University of Pennsylvania  
 Roe/Simmons v. Brown Low Adkins  
 Bradely, Gones v. Green  
 Fernanders v. International Pavilion  
 Olson v. The Empire District Electric Co.  
 Colin Dolehanty v.  
 Roland Adams v. ARAMARK

Unobserved drowning from a pleasure boat  
 Rented lake paddleboat capsized  
 Raceboat flipped and driver was trapped  
 No check-in monitoring, hypothermia death  
 Paddle boat capsized, slow rescue, hypothermia  
 Rental capsizing, attendants' delayed rescue  
 Non-swimmer capsized using inflatable boat  
 Boaters went over dam, entrapped in hydraulic  
 Skipper inattention: Drunken passenger drowned  
 Boys fell from canoe & drowned, no PFD's  
 Bumper boat flipped, caught U/W, drowned  
 Current flipped boat into spillway, drowned  
 Boater hit head with houseboat slide, drowned  
 Walking along edge, lost balance, near drowning

**Boating / General (15 cases – 12-pf / 3 df)**

8508 Defense Tampa, Florida  
 8612 Plaintiff St. Petersburg, Florida  
 8613 Plaintiff Miami, Florida  
 8823 Plaintiff San Diego, California  
 8856 Plaintiff Dania, Florida  
 9138 Plaintiff Southfield, Michigan  
 9336 Plaintiff Palos Heights, Illinois  
 9342 Defense Stevensville, Maryland  
 9355 Plaintiff West Palm Beach, Florida  
 9621 Plaintiff Miami, Florida  
 9636 Plaintiff Tulsa, Oklahoma  
 0020 Plaintiff Mt. Clemens, Michigan  
 0240 Plaintiff West Bend, Indiana  
 0301 Defense Chicago, Illinois  
 0313 Plaintiff Pensacola, FL

Marshall v. Max's Sports  
 Coxey v. Skatzka  
 Milby v. Parro  
 Wiseman v. Sobieck  
 Sidaury v. Club Nautico  
 Landmann v. Pudkowski  
 Grady v. Ziarko  
 Class-action v. Zodiac of North America  
 SanPhillip v. Toubail  
 Day v. Blackboard  
 Thomas v. Funco, Inc.  
 Hans Kaufmann  
 Monroe v. Monroe Guaranty Insurance  
 Anchor v. Sevyler USA Inc. et al  
 Duffy v. Leuders

Anchor rope snapped, whiplashing injuries  
 Raceboat flipped, driver's entrapment inside  
 Passengers were injured during rough voyage  
 Intoxicated passenger fell out of top bunk  
 Fuel mistakenly poured into bilge; explosion  
 Man fell off beached bow: No ladder provided  
 Dam-hydraulic entrapment, PFD-failure  
 Litigation support, safety committee consultant  
 Passing boat's wake injured a passenger  
 Passenger suffered a leg entrapment with stairs  
 Slid down houseboat's slide, head injury \*Fatal  
 Kayaker ran over by Formula boat  
 Child/camper amputated finger on pontoon  
 Rope wrapped around boys foot causing injury  
 Woman sustained back injury on Boston Whaler

**Boating / Kneecboarding (14 cases – 13-pf / 1-df)**

8509 Plaintiff Miami, Florida  
 8829 Plaintiff Peoria, Illinois  
 8909 Plaintiff West Palm Beach, Florida  
 8934 Plaintiff Waterbury, Connecticut  
 9033 Plaintiff Baltimore, Maryland  
 9039 Plaintiff Houston, Texas  
 9108 Plaintiff New Ulm, Minnesota  
 9119 Plaintiff Hope Hills, North Carolina  
 9152 Plaintiff Miami, Florida  
 9233 Plaintiff Orlando, Florida  
 9234 Defense Miami, Florida  
 9532 Plaintiff Milwaukee, Wisconsin  
 9567 Plaintiff Mobile, Alabama  
 0338 Plaintiff Portland, Maine

Lindquist v. Kransco  
 Nicholson v. O'Brien  
 Ogden v. Ski Rixen  
 Cantoni v. Ashmore  
 Peck v. Simmons  
 Adams v. O'Brien  
 Larter v. Walling  
 Taylor v. Weller & City of Hope Mills  
 Fleming v. Mandel  
 Ray v. Wet n' Wild  
 Powell v. Sullivan  
 Jim Hahn v. Peterson  
 Greg Jetten v. Yamaha, "Aerial 360"  
 Scott Ayre v. Boaters World

Knee strap didn't release the fallen rider  
 Strap released; Rider struck the kneeboard  
 Cable-tow kneeboarder ran into a swimmer  
 Kneeboarder collided with a waterskier  
 Boat driver whipped kneeboarder around turn  
 Spinal compression injury from wake jump  
 No warnings re. speed & strap use \*Fatal  
 Rider struck obscured underwater pilings  
 Boat struck the kneeboarder from behind  
 Cable-tow line snapped, kneeboarders collided  
 Kneeboarder jumped wake, fell \*Spinal injury  
 Board struck groin when strap came loose  
 Binding release failure in shallow water \*Quad  
 Kneeboarder rotated in air, spinal injury

**Boating / Parasailing Injury (6 cases – 5-pf / 1-df)**

8801 Plaintiff West Palm Beach, Florida  
 9000 Plaintiff Kona, Hawaii  
 9004 Plaintiff Honolulu, Hawaii  
 9409 Plaintiff St. Petersburg, Florida  
 0125 Plaintiff Salisbury, North Carolina  
 0345 Defense Tampa, Florida

Kucklick v. PBS Watersports  
 Eike v. Lahaina Parasailing  
 Kumagai v. Controlled Parasailing  
 Holmes v. Don Caesar Hotels  
 Gilyardi v. Paradise landing, Inc., et al  
 Straney v. Sportlite & Premium Parasail

Uncontrolled parasailing ascent protocol  
 Winchboat's line snapped, Sky rider-chair fell  
 Unbelted rider was ejected, fell from 200-feet  
 Incorrectly strapped rider fell at take-off  
 Rider thrown off seat due to rough water  
 Mother and daughter fell from parasail \*fatal

**Boating / Personal Watercraft (130 cases – 115-pf / 15-df)**

8814 Plaintiff Haddonfield, New Jersey  
 8838 Plaintiff Honolulu, Hawaii  
 8841 Plaintiff Miami, Florida  
 8952 Plaintiff Miami Beach, Florida  
 9005 Defense Miami Beach, Florida

Eszlari v. Wildwood Sports  
 Simpson v. Sakuma  
 Hammond v. Hoffer  
 Frisch v. Gulfstream Water Sports  
 Kluge v. Thunderbird Hotel

Jet-Ski rental concession's supervision failure  
 Underaged Jet-Skier struck 2 kayakers \*Fatal  
 PWC concession's failure to supervise rentals  
 Inexperienced minor PWC-rider struck seawall  
 Two rental Wave Runners collided



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ARCTIC RISK MANAGEMENT

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9257 Defense Media, Pennsylvania  
 9309 Plaintiff New Orleans, Louisiana  
 9310 Plaintiff Washington, D.C.  
 9402 Plaintiff Mobile, Alabama  
 9416 Plaintiff Indianapolis, Indiana  
 9440 Plaintiff Wheaton, Illinois  
 9450 Plaintiff Miami Beach, Florida  
 9456 Defense Hato Rey, Puerto Rico  
 9461 Plaintiff Orange, California  
 9465 Plaintiff Beaufort, North Carolina  
 9468 Plaintiff Ft. Lauderdale, Florida  
 9480 Plaintiff Springfield, New Jersey  
 9485 Plaintiff Santa Fe, California  
 9488 Defense Miami, Florida  
 9526 Plaintiff Gulfport, Mississippi  
 9534 Plaintiff Houston, Texas  
 9540 Plaintiff Toledo, Ohio  
 9541 Plaintiff Salt Lake City, Utah  
 9543 Plaintiff Santa Ana, California  
 9545 Plaintiff Encino, California  
 9551 Plaintiff Chicago, Illinois  
 9566 Plaintiff Charleston, South Carolina  
 9568 Plaintiff Riverside, California  
 9572 Plaintiff Atlanta, Georgia  
 9602 Plaintiff Austin, Texas  
 9603 Plaintiff New Orleans, Louisiana  
 9611 Defense Key West, Florida  
 9641 Defense Calgary, Alberta  
 9642 Defense Lake Ozarks, Missouri  
 9646 Plaintiff Pompano Beach, Florida  
 9650 Plaintiff Buffalo, New York  
 9657 Plaintiff Farmington, New Jersey  
 9659 Plaintiff Wichita, Kansas  
 9665 Plaintiff Columbus, Ohio  
 9705 Plaintiff Miami, Florida  
 9706 Plaintiff Detroit, Michigan  
 9739 Plaintiff Waxahachie, Texas  
 9743 Plaintiff Dearborn, Michigan  
 9745 Plaintiff Duncanville, Texas  
 9750 Plaintiff Fort Lauderdale, Florida  
 9753 Plaintiff Red Bank, New Jersey  
 9754 Plaintiff Newport, Kentucky  
 9762 Plaintiff Hollywood, Florida  
 9763 Plaintiff Jordan Lake, North Carolina  
 9769 Plaintiff Sacramento, California  
 9802 Plaintiff West Palm Beach, Florida  
 9803 Plaintiff West Palm Beach, Florida  
 9809 Plaintiff San Diego, California  
 9812 Defense Grosse Pointe Wood, Michigan  
 9824 Plaintiff Dallas, Texas  
 9829 Plaintiff Jacksonville, Florida  
 9835 Plaintiff Jacksonville, Florida  
 9839 Plaintiff Detroit, Michigan  
 9841 Plaintiff Biloxi, Mississippi  
 9846 Plaintiff Jackson, Mississippi  
 9852 Defense Miami, Florida  
 9858 Defense Winnipeg, Manitoba  
 9865 Plaintiff Albuquerque, New Mexico  
 9871 Plaintiff Miami, Florida  
 9918 Plaintiff Center, Texas  
 9932 Defense Tampa, Florida  
 9939 Plaintiff Oklahoma City, Oklahoma  
 9944 Plaintiff Omaha, Nebraska  
 9952 Plaintiff San Juan, Puerto Rico  
 9965 Plaintiff Cloquet, Minnesota  
 Defense Santa Rosa, California  
 0003 Plaintiff Springfield, New Jersey  
 0006 Plaintiff Covington, Kentucky  
 0008 Plaintiff Chicago, Illinois  
 0014 Plaintiff Boca Raton, Florida  
 0022 Plaintiff Chatham, New Jersey  
 Van Conia v. Leisure Equipment  
 Wilson v. K & P Rental, et al.  
 Braun v. Yamaha  
 Rosenblum v. Hutchings  
 Lovellette v. Bozarth  
 Sansale v. Yamaha and Engelbrecht  
 Perez v. Rodriguez  
 Schondorf v. Condado Plaza  
 Popp v. Bombardier  
 Buckman v. Bombardier  
 Lyman v. Yamaha  
 Garby v. Jason Brothers Enterprises  
 Henry v. County of Santa Clara  
 Kaufman v. Mindich  
 Bourdeaux v. Yamaha  
 Cargill v. Yamaha  
 Shier v. Yamaha  
 Johnson v. Orton  
 Sherwin v. Long Beach Marina  
 Olsen v. Bond, et al.  
 Ervin v. Curtes  
 Grace Romer v. Breakwater Landings  
 Judy Ritchie v. Bombardier Corp.  
 Chad Mackes v. Bombardier  
 Castle v. Polaris; Bahama Bob's  
 Krummel v. Bombardier Corp.  
 Cantore v. Rose  
 Caron v. Robertson  
 Estate of Erin Pruneau v. Glassmaster, et al.  
 Zinser v. Our Own, Inc.  
 Gilbert v. Yamaha  
 Gates v. Foss  
 Ellis v. Bombardier Corp.  
 Forsythe v. Gavin  
 Johnson v. Yamaha  
 Hertel v. Polaris Industries  
 Wester v. Kirton  
 Watkins & Porter v. Fourbears Waterpark  
 Rieger v. Bombardier Corp.  
 McCann case  
 Karl Dean v. Bombardier Corp., et al.  
 Hunley v. Yamaha  
 Chong v. Southcoast Watersport, et al.  
 Mosberg v. Zanzano & Wood  
 Baldani v. Bishop, et al.  
 Robinson v. Holiday Inn Worldwide  
 Trenary v. Holiday Inn Worldwide  
 Jones v. Bombardier  
 Shaman, et al. v. Hermiz, Water Wave, et al.  
 Clutter v. Polaris  
 Shubert v. Suzuki  
 Pierce v. Yamaha  
 Flath v. Turner and Bombardier  
 Punzo v. Arctic Cat Sales, Inc., et al.  
 Ed Wansley v. Yamaha  
 Mashburn v. Royal Caribbean  
 Charles Reyher  
 Davis, et al. v. Sports Adventure, Inc., et al.  
 McMurtry v. Yamaha Jetski Corp. & Morely  
 McDonald v. Polaris  
 Lyman v. Slama & Krupnick  
 Shelton v. Yamaha  
 Evans v. Cormaci  
 Baker v. Westin Rio Mar  
 Mattson v. Rock  
 Allen/Fessenden v. Lake Sonoma Resort  
 Kempton v. Bay Runner Rentals, Inc.  
 Gearding v. Sea-Do  
 Schrader v. Kawasaki Motors Corp.  
 Roberts v. Bombardier, et al.  
 Eisele v. Walsh  
 Collision between two rental Jet Ski riders  
 Two unsupervised rental Jet Ski riders collided  
 Jet Ski rider attempted to jump a wake and fell  
 Collision between 2 PWC rental Jet Ski riders  
 Two waverunners following each other collided  
 PWC & boat collision; PWC design defect  
 Boat collision with rental PWC, restricted area  
 Man's foot wedged in PWC due to large swell  
 PWC collision, ignition shut-off, mfr. defect  
 PWC defective engine shutoff causing collision  
 PWC collision from loss of steering propensity  
 Collision between two rental jet ski riders  
 PWC collided into waterskier in a lake  
 Collision between two rental waverunners  
 PWC hit a fallen rider, steering propensity lost  
 PWC rider hit boat's wake, foot caught in well  
 PWC collided, rider impaled by steering column  
 Boat collided with stern of PWC  
 Transient boat propeller tangled with ski line  
 Jet skier struck and killed by boat  
 Two PWC collided, paths were crossed  
 PWC went airborne from wake, spinal injury  
 Rider fell into water, no restraints, hit by boat  
 Loss of steering propensity due to kill switch  
 Loss of steering propensity caused collision  
 Wake capsized PWC, leg entrapment  
 PWC made 180° spin-turn into Jet Star's path  
 Collision between two PWC, improper lookout  
 PWC turned into path of boat \*Fatal  
 PWC went airborne from wave, spinal injury  
 Two rental PWC collided, no instructions \*Fatal  
 Jet boat, following too close, collided with PWC  
 Leg entrapment with footwell of PWC  
 Boat & PWC collision, propeller injuries  
 Boat & PWC collision, loss of steering  
 PWC loss of steering caused crash into shore  
 PWC rider fell, boat ran over him, prop injury  
 Rental PWC struck two swimmers  
 PWC went airborne from wake, spinal injury  
 PWC loss of steering, fatal head injury  
 Wake capsized PWC, foot entrapment  
 Child driving PWC struck inflatable ride \*Fatal  
 Stationary PWC was hit by an oncoming PWC  
 PWC airborne b/c wake, struck towable rider  
 Two PWC's collided, serious injuries  
 Two rental PWC collided, poor maintenance  
 Two rental PWC collided, poor maintenance  
 Rider fell from PWC, injured by jet stream  
 Rental PWC ran into swim area, lost control  
 PWC sharp turn into other PWC's path \*Fatal  
 Fallen boater struck by PWC in riding event  
 Loss of steering caused collision with rock  
 PWC struck another rider's back, paraplegic  
 Collision of two PWCs, off-throttle steering loss  
 PWC struck boat passenger, loss of control  
 PWC collided with PWC rider from cruise ship  
 PWC cut in front of boat and was struck \*Fatal  
 PWC steering loss collision \*Fatal  
 Rental PWC's collided, loss of steering  
 Class action suit against Polaris, loss of steering  
 Malpractice suit against Slama (9468)  
 Two PWC's collided, defective design  
 Two PWC's collided, improper lookout  
 Rental PWC hit wake, rider fell, leg injury  
 Two PWC's collided, improper lookout  
 2 boys on PWC's were struck & killed by boat  
 2 riders on rented PWC collided with bulkhead  
 Rider on PWC slid off back sustaining injuries  
 PWC porpoised fracturing rider's ankle  
 Girl on PWC collided with dock \*Fatal  
 PWC collided with boat



0023 Plaintiff Santa Rosa, California  
0041 Plaintiff Center, Texas  
0058 Plaintiff Knoxville, Tennessee  
0059 Plaintiff Metairie, Louisiana  
0065 Defense Ft. Lauderdale, Florida  
0072 Plaintiff San Juan, Puerto Rico  
0109 Plaintiff Coral Gables, Florida  
0110 Plaintiff Beaumont, Texas  
0130 Plaintiff Columbus, Ohio  
0133 Plaintiff Jasper, Alabama  
0152 Plaintiff Okeechobee, Florida  
0156 Plaintiff Hamburg, New York  
0171 Defense Tallahassee, Florida  
0212 Plaintiff Euclid, Ohio  
0226 Plaintiff Minneapolis, Minnesota  
0231 Plaintiff Youngstown, Ohio  
0233 Defense Tallahassee, Florida  
0235 Plaintiff Greenbelt, Maryland  
0243 Plaintiff Greenville, North Carolina  
0336 Plaintiff Tampa, Florida  
0342 Plaintiff Sugar Land, Texas  
0354 Plaintiff Wailuku, Hawaii  
0360 Plaintiff Ft. Lauderdale, FL  
0365 Plaintiff Orlando, Florida  
0367 Plaintiff Santa Monica, California  
0372 Plaintiff Coral Gables, Florida

Burchett v. Kawasaki, et al.  
Stuth v. Yamaha  
Kirby v. Potter & Bombardier  
Grand v. Kawasaki, et al.  
Ackerman v. Polaris  
Medina v. Admiral Ins.  
Weintrob v. International Pool, et al  
Irving v. Polaris  
Iobison v. Bombardier, Inc., et al  
Snead v. Kawasaki, et al.  
Roberts v. Pogo & Bombardier  
Hruschak & Delahunt v. Herdman  
Kelsey v. SZS Sales, Inc.  
Estate of Scott M. Mochring  
Weston Zuch v. Gary Medgaarden  
DiCaprio V. Hervantine AMFAC et al  
Hallenback v. Murray & Seagull Watersports  
Overton v. EDF Water  
Estate of Folsom v. Kawasaki et al.  
Sonya Szatkowski v. All American Water Sports  
Gonzales v. Ryall, Sail & Trail Adventures  
Margaret Kolenko v.  
Jessica Chavez v.  
Min-jung Kim v. Salty Dog, et al.  
Spires v. Shantharam  
Foster v. Kawasaki

Young boy on PWC ran over young girl on PWC  
Mother on PWC ran over child sitting on beach  
Boy on PWC was killed when hit by another PWC  
Two PWC's collided in a river  
Rented PWC lost control from passing boat's wake  
PWC competition-rider struck by teammate  
Rider was airborne on rental PWC, spinal injury  
Two PWC's collided, leg amputation  
Rider injured groin while dismounting PWC  
PWC's head on collision, loss of steering \*Fatal  
PWC rider collided with dock, \*Fatal  
Two PWC's collided, improper lookout  
PWC collision with boat  
PWC's collide throwing youth off \*Fatal  
Two PWC's collide, injuries  
Two PWC's collide, loss of steering/key fell out  
PWC's collide, injuries/property damage  
Boat collided with PWC \*Fatal  
PWC collided with raft, steering \*Fatal  
PWC collision resulting in leg fracture  
PWC capsized, man drowned  
Rider ejected from PWC, struck by another PWC  
Two PWC's collided, victim severed leg  
PWC's collided, victim sustained brain injury  
Passenger fell off PWC, fractured hip  
Son & father collided, father died

### Boating / Slip & Fall (4 cases – 3pf / 1-df)

8861 Plaintiff West Palm Beach, Florida  
8940 Plaintiff Pensacola, Florida  
9947 Plaintiff Syracuse, New York  
0034 Defense Stockton, California

Pinkev v. ITT  
Allen v. Sea Ray  
Landry  
Yocca v. County of San Joaquin

Passenger slipped and fell during boarding  
Boat's transom step-path wasn't slip resistant  
Wake caused slip & fall over railing \*Quad  
Passenger slipped & fell during disembarking

### Boating / Spinal Injury (9 cases – 5-pf / 4-df)

8705 Plaintiff Elliott Key, Florida  
9036 Plaintiff Oklahoma City, Oklahoma  
9050 Defense Troy, Michigan  
9101 Plaintiff West Palm Beach, Florida  
9166 Plaintiff San Juan, Puerto Rico  
9263 Defense Baton Rouge, Louisiana  
9518 Plaintiff San Diego, California  
9632 Defense Saginaw, Michigan  
9770 Defense Key West, Florida

Rodrigues v. U.S. Park Service  
Agnew v. Three Buoys  
Paskauchas v. Brier  
Skinner v. Club Nautico  
Hadley v. Posadas de San Juan  
Sloan Deumite v. State of Louisiana  
Brown v. Genmar, Wellcraft  
Schuett v. Noehles  
Giffin v. Resort Pool Services, et al.

Passenger dove from boat into shallow water  
Passenger used houseboat slide; \*Spinal injury  
Drunk guest dove from the top of pontoon boat  
Boat-rental employee dove into shallow water  
Injuries in rough sea aboard commercial vessel  
Boat driver dove from boat into shallow water  
Passenger struck edge of seat b/c of wave  
Fell from seat due to a turn in choppy water  
Fell from seat due to wave, rental jet boat

### Boating / Towables (47 cases – 29-pf / 18-df)

8515 Plaintiff Grand Forks, North Dakota  
8719 Defense Los Angeles, California  
8924 Plaintiff Oshkosh, Wisconsin  
9021 Defense Los Angeles, California  
9057 Plaintiff Pontiac, Michigan  
9104 Defense Lake Havasu, Arizona  
9111 Defense St. Louis, Missouri  
9122 Plaintiff Wichita, Kansas  
9123 Plaintiff Redding, California  
9124 Defense New York, New York  
9125 Defense Mt. Laurel, New Jersey  
9127 Defense Bangor, Maine  
9128 Defense Covington, Kentucky  
9228 Defense Syracuse, New York  
9320 Defense Secaucus, New Jersey  
9308 Plaintiff Springfield, Massachusetts  
9322 Plaintiff Bloomfield Hills, Michigan  
9341 Defense Detroit, Michigan  
9417 Plaintiff Salt Lake City, Utah  
9483 Defense Pittsburgh, Pennsylvania  
9508 Plaintiff New York, New York  
9527 Plaintiff Worcester, Massachusetts

Butz v. Werner/Schlickemyer  
Sevylor U.S.A.  
Vollmer v. Texsport  
Sevylor U.S.A.  
Colonese v. Nelson & Nelson  
Baker v. Sevylor & Weaver  
Beach v. Noack & Seaway  
Cobol v. Hlad  
Sturgill v. O'Brien  
Apicella v. Sevylor  
Galicia v. Sevylor  
Keen v. Sevylor  
Ankenbauer v. Sevylor  
Ogden v. Sevylor  
Weber v. Pante v. Sevylor  
Gary Tallman  
Wright v. Smolinski  
Mazaitis v. Intex Corp.  
Nielson v. LDS Church  
Brinza v. Sevylor  
Lettieri v. O'Brien, et al.  
Macrosoft v. Caldwell

Tube rider was whipped in a turn and collided  
Products Liability & Safety Consultation  
Tube was whipped in turn, collided with dock  
Litigation support, safety committee consultant  
Towable rider was injured during a whip-turn  
Towable rider suffered a rope-straddling injury  
Towable rider fell and the towrope cut his arm  
Inattention aboard caused tube rider drowning  
Tube's dark color hard to see, struck by boat  
Mounting Ski-Bob from boat, fell/struck cleat  
Tube rider's eye injury from a snapped towline  
SkiBiscuit rider inserted a leg, broke his ankle  
Rider suffered carotid artery injury & a stroke  
Towed tube rider sustained knee joint injury  
Inflatable flipped - tow rope caught rider's leg  
Tube dropped off back of boat; entangled arm  
Inflatable capsized, rider fell & injured head  
Injury involving tube without a quick release  
Riders suffered lacerations during whip-turn  
Boat's sharp turn caused towable rider injuries  
Ski board binding failed to release skier's foot  
Tube rider hit a wake, fell off tube, spinal injury

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9571 Plaintiff Atlanta, Georgia	Tucker & Buchanan v. Intex Recreation, et al.	Riders entangled with rope, dragged by boat
9615 Plaintiff Ft. Lauderdale, Florida	Bradlow v. Sheridan Hills	Rider's leg caught with towable, high speed
9718 Defense Portland, Oregon	Martin v. Sevytor	Rider's arm caught with handle of 'Ski Biscuit'
9720 Plaintiff Salt Lake City, Utah	Ross v. Wellington	Tow rope separated when being towed, hit wall
9734 Defense Detroit, Michigan	Fitzsimons v. Sevytor	Towed tubes crossed, rope entangled with leg
9735 Defense Detroit, Michigan	Somenauer v. Sevytor	Tow rope tied to handles, fingers amputated
9747 Plaintiff Coral Gables, Florida	Yelvington v. Performance Marine	Idle towable pulled by wave, fingers amputated
9772 Defense New York, New York	Savino v. Sevytor	Towable capsized, rider struck UW object
9831 Plaintiff Miami, Florida	Domanski v. Royal Caribbean Cruise Lines	Banana Boat rider injured as fell off
9834 Defense Cincinnati, Ohio	Copenhaver v. Overton's Inc., et al.	Towline snapped, struck spotter's eye
9837 Plaintiff San Diego, California	Freeman v. Bradley	PWC struck towable rider
9842 Defense Metairie, Louisiana	Jordy v. Sevytor	Rider's foot lodged in ski biscuit
9907 Plaintiff Orinda, California	Berven v. New Hogan Marina, et al.	Rider injured while on tube with tow device
0015 Plaintiff Philadelphia, Pennsylvania	Estate of Katarina Santos	Child tubing in creek encountered rough water
0247 Plaintiff Lexington, Kentucky	Brandt v. Wellington	Tow rope broke at clip and recoiled
0252 Plaintiff Orlando, Florida	Gwinn v. Schonenberg et al.	Boy fell off towable, sustained broken hip
0254 Plaintiff Monterey, California	Storz & Pigeon v. Idaho Sewing et al.	Snow tube injury

**Boating / Waterskiing (37 cases – 31-pf / 6-df)**

8621 Plaintiff Orlando, Florida	Wray v. Siegel	Whipped skier collided into dock, fractured leg
8730 Plaintiff Philadelphia, Pennsylvania	Lantz v. Stewart	Submerged waterskier's 2-arms trapped in PFD
8734 Plaintiff Ontario, California	Jensen v. McDonnell	Waterskier's fingers amputated by the towrope
8808 Plaintiff Galveston, Texas	Inglesias v. Mitchell Development	Oncoming boat too close, ran over waterskier
8812 Plaintiff San Francisco, California	Parrett v. Farrow	Ski-jumper improperly taught, fell from ramp
8843 Plaintiff Pembroke Pines, Florida	Nelson v. Shenk	Ski-observer's back of head struck low bridge
8857 Plaintiff Miami, Florida	Houston v. Kleis	Jumper's towline became stuck in ramp-crack
8925 Plaintiff Doylestown, Pennsylvania	Farley v. Marrare	Driver applied excessive starting acceleration
8930 Plaintiff Detroit, Michigan	Houston v. Wittig	Whipped waterskier was slammed into a dock
8950 Plaintiff Kalamazoo, Michigan	Prith v. Berkley	Waterskier's finger severed by towrope handle
8956 Plaintiff Mount Clemens, Michigan	Katakowdki v. Connelly Skis	Skier fell, PFD steered him into bottom *Quad
8958 Plaintiff Green Bay, Wisconsin	Maddix v. Schoepp & Anderson	Driver suddenly accelerated during skier's start
9117 Plaintiff Lake Perris, California	Strom v. Casad	Waterskier's leg near-amputated by tow handle
9157 Plaintiff Imperial County, California	Franco v. Leleavier	Ski rope recoiled and injured passenger in boat
9206 Defense Orchard Lake, Michigan	Arnal v. King	Waterskier lost control, struck protruding dock
9219 Plaintiff Framingham, Massachusetts	Trayers v. D'Antuono	Boat went thru wake, caused waterskier to fall
9223 Plaintiff Lake Sara, Illinois	McLain v. Schultz	Skier whipped in turn, slammed into dam wall
9331 Defense Crookston, Minnesota	Larson v. Sagedahl & Larson	Unsuccessful maneuver, prone-barefoot *Quad
9359 Plaintiff Miami, Florida	Pike v. Benzvi	Driver close to shore, pulled skier into a piling
9446 Plaintiff Wilkes-Barre, Pennsylvania	Keys v. Caesar Cove Haven	Waterskier depleted muscle capacity, drowning
9482 Plaintiff Troy, New York	Estate of Edward Galvin	Ski rope recoiled and injured passenger in boat
9515 Plaintiff Phoenix, Arizona	Stenerson v. Arizona Ski Springs	Instr. advised non-release of tow rope, skier injury
9523 Plaintiff Albany, New York	Staalesen v. Wellington	Boat Passenger struck by tow rope recoil
9533 Defense Peoria, Illinois	Waugh, Jr. v. Economy Fire & Casualty	Passing boat tore hand entangled with tow line
9536 Plaintiff Atlanta, Georgia	Lorraine Cruse v. G. Parten	Boat driver made sharp turn, passenger injured
9542 Defense Lincoln, Nebraska	Norwest Bank v. Overland	Skier lost balance due to wake, spinal injury
9546 Plaintiff Seattle, Washington	Hanley v. Greenleaf, McGowan	Waterskier was driven into illegally long dock
9548 Plaintiff Bedford, Texas	Charles Ashley	Barefoot skier injured in lessons, instr. negligent
9613 Plaintiff Santa Ana, California	Ahlers v. Nesterlode	Skier injured at private ski-lake, no warnings
9755 Plaintiff Mikado, Michigan	Michael Rais v. David R. Rais	Skier's finger amputated by towrope, boat negl.
9920 Plaintiff Coeur D'Alene, Idaho	Rowley v. Mastercraft	Boat passenger struck by skier's tow rope recoil
0005 Plaintiff Nashville, Tennessee	Jones v. Brandon Ingram	Ski rope recoiled hitting passenger in tow boat
0017 Defense Albuquerque, New Mexico	Matthews v. E-Z Rentals	Waterskier collided with concrete dock *Fatal
0035 Plaintiff Le Mars, Iowa	Wayne Meylor/Neal Meylor	Passenger fell overboard & struck by boat
0037 Defense Grand Rapids, Michigan	Phillips v. Burkhardt	Skier lacerated by boat's propeller
0051 Plaintiff Las Vegas, Nevada	Ramos v. Nye	Spotter lost eye due to recoiled rope
0069 Plaintiff San Diego, California	Wearmouth v. Imperial Lakes	Waterskier killed by boat returning to pick up

**Boating / Waterskiing - Binding Release Failure (29 cases – 28-pf / 1-df)**

8514 Plaintiff Fort Lauderdale, Florida	Claggett v. Lake Region	Skier fell, binding didn't release, amputation
8620 Plaintiff Indianapolis, Indiana	Wyciskalla v. Lake Region	Binding failed to release fallen skier's foot
8720 Plaintiff Belleville, Illinois	Papa v. Nash	Waterski binding didn't release foot during fall
8721 Plaintiff Alvin, Texas	Ferris v. ERO	Ski-binding design defect caused leg fracture
8816 Plaintiff Grand Island, Nebraska	Salmen v. Connelly	Binding wouldn't let skier's foot loose in a fall
8837 Plaintiff Falls Church, Virginia	Fontana v. O'Brien	Binding failed to release foot of skier who fell
8862 Plaintiff Fairfield, California	Storelee v. Coleman	Skier's foot injured, binding failed to release
8868 Plaintiff Brockton, Massachusetts	Zanellato v. ERO	Ski-binding failed to release fallen skier's foot
8938 Plaintiff Chicago, Illinois	Pascucci v. O'Brien	Binding did not release fallen skier's foot
8953 Plaintiff Mount Clemens, Michigan	Howell v. Howell	Skier fell and binding wouldn't release his foot

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9042 Plaintiff Kalamazoo, Michigan  
 9110 Plaintiff Halifax, Massachusetts  
 9126 Plaintiff Philadelphia, Pennsylvania  
 9343 Plaintiff Winona, Mississippi  
 9414 Plaintiff Seattle, Washington  
 9427 Plaintiff Corpus Christi, Texas  
 9475 Plaintiff Tulsa, Oklahoma  
 9563 Plaintiff New York, New York  
 9832 Plaintiff Norfolk, Virginia  
 9836 Plaintiff Hartford, Connecticut  
 9843 Plaintiff Las Vegas, Nevada  
 9943 Plaintiff Hartford, Connecticut  
 0317 Plaintiff San Diego, California

Stearns v. Kidder  
 Clark v. Kidder  
 Smulowitz v. O'Brien  
 Carr v. O'Brien  
 Timmons v. HO Watersports  
 Garcia v. Steele  
 Ziegler v. Oshman's & O'Brien  
 O'Dea v. Amend  
 Pava, III v. Gravity Enterprises, Ltd.  
 Hutton v. O'Brien Sports  
 Godwin v. Summers  
 Doubleday v. O'Brien International, Inc.  
 Luna v. Sport Chalet Inc. & Ho Sports Co.

Binding failed to release foot of fallen skier  
 Waterski-binding stayed on foot during fall  
 Ski binding wouldn't let ski come loose in fall  
 Waterskier fell, binding failed to release foot  
 Binding failed to release foot of skier who fell  
 Ski-binding failed to release foot of fallen skier  
 Skier's foot fractured, binding failed to release  
 Skier fell at take off, binding failed to release  
 Skier jumped wake, binding release failure  
 Wakeboard binding release failure, knee injury  
 Skier fell from fast turn, binding release failure  
 Skier fell, binding release failure, knee injury  
 Man injured back when binding release failed

### Boating / White Water Rafting Injury (6 cases – 5-pf / 1-df)

9058 Plaintiff Edison, New Jersey  
 9315 Plaintiff Friendsville, Maryland  
 9317 Plaintiff Charleston, West Virginia  
 9435 Plaintiff Charleston, West Virginia  
 9445 Plaintiff Pittsburgh, Pennsylvania  
 0162 Defense Pittsburgh, Pennsylvania

Percheski v. Lehigh River  
 Woodall v. Coleman  
 Dooley v. Segura/The Rivermen  
 Lewis v. The Rivermen  
 Kleeman v. Whitewater Adventure  
 Stuart Hill v. Laurel Highlands River Tour

Whitewater rafting horseplay, knee injury  
 Raft dove into river after co.'s encouragement  
 Whitewater rafting hole-entrapment drowning  
 Raft tipped over by guide, near drowning  
 Raft flipped over when it hit a rock, drowning  
 Raft capsized during guided tour, drowning

### Canal / Dam / Drowning & Spinal Injury (10 cases – 10-pf / 0-df)

8610 Plaintiff Fort Lauderdale, Florida  
 8718 Plaintiff Miami, Florida  
 8913 Plaintiff Fort Lauderdale, Florida  
 8914 Plaintiff Fort Lauderdale, Florida  
 9114 Plaintiff Long Port, New Jersey  
 9633 Plaintiff McAllen, Texas  
 9953 Plaintiff Miami, Florida  
 0025 Plaintiff Miami, Florida  
 0055 Plaintiff Boca Raton, Florida  
 0063 Plaintiff Utica, New York

Scott v. Future Investments  
 McIntosh v. Brown  
 DeSaint v. Broward County  
 Lee v. Broward County  
 James Sanders  
 Salazar v. Heald's Valley Farms  
 Selvin v. Regency  
 Baxter v. Waterside Townhomes  
 Estate of Vitale  
 Taylor v. Village of Ilion

Unobserved canal drowning behind residence  
 Child fell into canal behind house, drowned  
 Ducks posed attractive nuisance/child hazard  
 Child drowned because slope is steep/slippery  
 Dive from apt-bulkhead into shallow \*Quad  
 Double drowning at an irrigation reservoir  
 Elderly resident of living facility drowned  
 Young girl fell in canal behind house, drowned  
 Child found in canal behind apt. complex  
 Child dove off dam into shallow water \*Para

### Marina / Dock / Diving Injury (10 cases – 9-pf / 1-df)

9248 Plaintiff London, Ontario  
 9306 Plaintiff Detroit, Michigan  
 9434 Plaintiff Upper Marlboro, Maryland  
 9634 Plaintiff Windsor, Ontario  
 9906 Plaintiff Mobile, Alabama  
 0064 Plaintiff Boca Raton, Florida  
 0206 Plaintiff Washington, DC  
 0210 Plaintiff Cleveland, Ohio  
 0315 Plaintiff Tampa, Florida  
 0350 Defense Ontario, Canada

Houle v. Her Majesty the Queen  
 Cibor v. Belle Maer Associates  
 Sutton v. Sunset's on the Bay  
 Alchimowicz v. Schram  
 Moss v. American Legion  
 Watt & Griffiths v. St. Lucie County  
 Burris v. Chesapeake Bay Maritime Museum  
 Paul C. Kirchner  
 Mark Doyle v.  
 Fyke v. Kincardine

Insufficient diving-warnings on dock \*Quad  
 Boater injured when he slipped/fell on dock  
 Dive into shallow water from railing, \*Quad  
 Dive into shallow water from dock \*Quad  
 Dive into shallow water from dock \*Quad  
 2 boys dove off dock into shallow water \*Fatal  
 Invitee injured from slip/fall from dock  
 20 year old fell from dock and drown \*Fatal  
 Slip & fall on pier, broken ankle  
 Boy injured in fall from dive platform on dock

### Lake / Injury (3 cases – 3-pf / 0-df)

8740 Plaintiff West Palm Beach, Florida  
 9707 Plaintiff North Palm Beach, Florida  
 9733 Plaintiff Findlay, Ohio

Heppeard v. Port St. Lucie  
 Kanner v. Ocean Reef Club  
 Niese v. Glacier Hill Lake Campgrounds

Swimmer mauled & killed by 12' alligator  
 Foot was lacerated by sharp hidden UW object  
 Dive from 3m board into 5' depth, leg injury

### Lake / Risk Evaluation (4 cases – 1-pf / 3-df)

8951 Defense Miami, Florida  
 9165 Defense Lake Waunautta, Florida  
 9506 Plaintiff Orlando, Florida  
 0134 Consult Ft. Lauderdale, Florida

Branch Chevrolet  
 FDOT v. Walton  
 Winterpark Crew Team/Lake Kilarney  
 Lake Mayan

Risk prevention, on-site safety evaluation  
 Submerged concrete pipe-platform hazard  
 Crew team lakefront operation evaluation  
 Risk evaluation for water activities on lake

### Lake / Drowning/ Near Drowning (69 cases – 59-pf / 10-df)

8614 Plaintiff Orlando, Florida  
 8728 Plaintiff Miami, Florida  
 8817 Plaintiff Miami, Florida  
 8831 Plaintiff Culver City, California  
 8863 Plaintiff Miami, Florida

Rodriguez v. Wekiva Falls  
 Cossio v. YMCA & Lake Hilda  
 Ferreras v. Lake Royall East  
 Wedkind v. Los Angeles County  
 Jones v. Country Village Homeowners Assn.

Sudden deep hole within lake swim area  
 Unobserved YMCA youngster disappeared  
 Lake bottom dropoff, condo's failure to warn  
 Guest disappeared within designated swim area  
 Sudden lake bottom dropoff without warnings



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8922 Defense Tampa, Florida	Hawrylyshyn v. Warm Mountain Springs	Swimmer suffered a heart attack, disappeared
8939 Plaintiff Miami, Florida	Cabrera v. Dade County	Lake drowning unobserved by lifeguard
8941 Plaintiff Kendallville, Indiana	Bryant v. Learning Academy	Drowning resulted from lifeguard's inattention
9008 Plaintiff Deerfield Beach, Florida	Baker v. Broward County	Lifeguard's inattention to non-swimmer toddler
9116 Plaintiff Minot, North Dakota	Hubbard v. Minnkota Power	Unwarned waders encountered a deep dropoff
9118 Plaintiff Honolulu, Hawaii	Iloa v. State of Hawaii	Attractive nuisance, rope-descent by cliff pond
9143 Defense St. Louis, Missouri	Cartwright v. Boy Scouts	Boy removed his PFD in a sinkhole, drowned
9159 Plaintiff New Haven, Connecticut	Colby v. Town of Guilford	Lifeguard inattention at dropoff, boy drowned
9221 Plaintiff Toledo, Ohio	Estate of Kevin Lapoint	Unobserved drowning in a swimming quarry
9241 Plaintiff Southfield, Michigan	Estate of Scott Briesmeister	Steep sided pond without proper safeguards
9327 Plaintiff Akron, Ohio	Baker & Holden v. Munroe Falls Metro Park	Lifeguard's inattention resulted in drowning
9344 Plaintiff Miami, Florida	Malik v. Lakeside Villas	Child drowned in apartment home's lake
9347 Plaintiff West Palm Beach, Florida	Brunson v. Palm Bay Community Hospital	Child swimming in manmade lake, drowned
9351 Defense West Palm Beach, Florida	O'Brien v. Marshall	Parental inattention caused toddler's drowning
9356 Plaintiff Hollywood, Florida	Gonzalez v. T.Y. Park	Child drowned in lake with lifeguards on duty
9363 Defense Fort Lauderdale, Florida	Reed v. New Covenant Church	Child drowned on field trip; poor supervision
9405 Defense Little Rock, Arkansas	Lowe v. Redman, Goss, Blair & Williams	Average swimmer drowned on field trip
9412 Plaintiff Ottawa, Illinois	Hedlin v. Pitstick Beach	Unobserved drowning; lifeguard inattention
9415 Plaintiff Smithtown, New York	Barber v. State of NY; Town of Hempstead	Man fell into freezing waters in frozen lake
9422 Plaintiff Ogden, Utah	Sim v. The USA	Lifeguards inattention at undeveloped lake area
9425 Plaintiff Costa Mesa, California	Yang v. Southern California Edison	2 girls drowned due to panic from lake depth
9462 Plaintiff Las Cruces, New Mexico	Chaleunphonh v. Parks, et al.	Triple drowning due to lake's 45° drop-off
9472 Plaintiff Jacksonville, Florida	Allen v. Keystone Heights	Child drowning in lake, supervision failure
9605 Plaintiff Sugarloaf, Pennsylvania	Sawyer v. Big Bass Lake	Child drowned in lake's dam, no warnings
9704 Defense Detroit, Michigan	Fitts v. Monroe County, KOS	Attempted to swim across pond but drowned
9736 Plaintiff Tampa, Florida	Norman v. City of Tampa, et al.	Child drowning, slid down steep slope
9758 Plaintiff Jacksonville, Florida	Daniel Glass	Child drowning in pond, poor supervision
9768 Plaintiff Shelby Township, Missouri	Sears v. Snider	Boy drowned swimming across lake, cramps
9822 Plaintiff Houma, Louisiana	Aron Johnson case	Child drowning, hidden UW mud dropoff
9844 Plaintiff Erie, Pennsylvania	Duke, et al. v. PA Bureau of State Parks	Drowning, rough waves, lifeguard negligence
9845 Plaintiff West Palm Beach, Florida	Calix v. Rocky Bayou Christian School	Child drowned during church camp outing
9849 Plaintiff Terre Haute, Indiana	Estate of Robert Holmes	Drowning in campground pond, no warnings
9926 Plaintiff Ocean Springs, Mississippi	Festino v. St. Andrews Golf Club	Child drowned in golf course pond, no barriers
9938 Plaintiff Miami, Florida	Parhams case	Child drowned in pond
9941 Plaintiff West Hazleton, Pennsylvania	Estate of Walker	Teen drowned swimming across lake
0016 Defense Troy, Michigan	Fox/Rayford v. Assemblies of God	Unsupervised boy drowned on camp trip
0038 Plaintiff Chicago, Illinois	Mawdsley v. Atteeco, et al.	Triathlon swimmer kicked in face by swimmer
0049 Plaintiff Canton, Ohio	Estate of Farrakhan	Young girl drowned while attending youth camp
0101 Defense Orlando, Florida	Kuftic v. Cannon	Child drowned, found floating in pond
0111 Plaintiff Charlotte, North Carolina	Estate of Wayman Scott v. Cohen	Child drowned in backyard lake
0153 Plaintiff Jackson, Tennessee	Jones v. State of Tennessee	Teen nearly drowned in lake
0158 Plaintiff Ypsilanti, Michigan	Ballard v. Fourbears Waterpark	Child drowned in pond with lifeguards on duty
0168 Plaintiff Youngstown, Ohio	Wesley v. Yellow Duck Park	Child drowned while swimming with innertube
0201 Defense Mobile, Alabama	White v. First Baptist Church of Columbiana	Teen drowned in lake while at camp
0215 Plaintiff Jackson, Tennessee	Posey v. State of Tennessee	Child drowned in public lake
0218 Plaintiff Ft. Lauderdale, Florida	Kendall Rigaud	Man drowned in lake, no lifeguards/signs
0245 Plaintiff Jackson, Mississippi	Pearce v. Episcopal Diocese of Miss. et al.	13 year old drown, caught in current
0309 Plaintiff Lansing, Michigan	Bethany Tucker v.	Patron fell in lake, near drowning
0314 Plaintiff Evansville, Indiana	Ruff v. Husk Signs Inc. & Kip Husk	7 yr. old girl drowned in lake
0316 Plaintiff Jacksonville, Florida	Jacobs v. Bay Meadows Apartments	18 yr. old boy drowned in lake, drop off
0319 Plaintiff Palm Beach Gardens, Florida	Estate of Blair v. Cedar Grove Apartments	13 yr. old autistic boy drowned in lake, no barrier
0323 Plaintiff Tyler, Texas	Wooldridge v. East Texas Baptist University	4 yr. old drowned in pond, no signs/fence
0339 Plaintiff Dallas, Texas	Hoskins & Smith v. Merrick Hall Money, et al.	Child drowned in privately owned lake
0352 Plaintiff Miami, Florida	Desir v. Parrot Apts., Conam Management	Child fell in pond, drowned, negligence
0358 Plaintiff Miami, Florida	The Estate of Yacou Antoine v.	Child slipped into pond, drowned
0362 Defense Seattle, Washington	Farmer's New World Life Insurance Co. v. Melanie Lowrance, et al.	Child out with family fishing, drowned in lake

**Lake / Spinal Injury (37 cases – 31-pf / 6-df)**

8605 Plaintiff Martinez, California	Currie v. City Walnut Creek	Diving onto shallow concrete bottom *Quad
8615 Defense Phoenix, Arizona	Trabucco v. Nautical Inn	Dive into shallow from embankment *Quad
8708 Plaintiff Ottawa, Canada	Unger v. City of Ottawa	Dive from boat ramp into shallow *Quad
8711 Plaintiff Gavins Dam, South Dakota	Zavadil v. South Dakota	Dive into shallow from a boat ramp *Quad
8725 Plaintiff Easton, Maryland	Churchville v. Calhoon	Dive from a dock into shallow water *Quad
8819 Plaintiff Auburn, Indiana	DeKalb Pub/Welfare v. Moser	Dive from a dock into shallow water *Quad
8846 Defense Key Largo, Florida	Hay v. Ocean Reef Club	Dive on beach slope within swim area *Quad
8855 Plaintiff Hancock, Michigan	Saaronin v. 100 Dollar Bay	Dive into shallow from a floating dock *Quad
8871 Plaintiff Troy, Michigan	Benner v. Rose & Associates	Dive off a pier into a shallow canal *Quad
9016 Defense St. Joseph, Michigan	Haluch v. Burns & Parkers	Backyard guest was pushed off seawall *Quad
9027 Plaintiff Castaic Lake, California	Philip v. Los Angeles County	A failure to warn about hazardous area *Quad

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9041 Plaintiff Kalamazoo, Michigan  
 9051 Plaintiff Brownsville, Texas  
 9102 Defense Raleigh, North Carolina  
 9146 Plaintiff Pensacola, Florida  
 9148 Plaintiff Rockford, Illinois  
 9250 Plaintiff Rockford, Maryland  
 9305 Plaintiff Albuquerque, New Mexico  
 9369 Plaintiff Houston, Texas  
 9420 Plaintiff Saginaw, Michigan  
 9455 Plaintiff Virginia, Minnesota  
 9476 Defense Parsippany, New Jersey  
 9537 Plaintiff Media, Pennsylvania  
 9652 Plaintiff Port St. Lucie, Florida  
 9701 Plaintiff Sarnia, Ontario  
 9713 Plaintiff Des Moines, Iowa  
 9730 Plaintiff Santa Ana, California  
 9765 Plaintiff Fresno, California  
 9848 Plaintiff Seattle, Washington  
 9957 Plaintiff Lake George, New York  
 0132 Plaintiff Claremont, California  
 0144 Plaintiff Jenkintown, Pennsylvania  
 0211 Plaintiff Houston, Texas  
 0225 Plaintiff Lakeland, Florida  
 0318 Defense Boston, Massachusetts

Mullett v. Fin-N-Feather  
 Ybarra v. Wesco Properties  
 Mackinder v. Dean  
 Saladino v. Environmental Construction  
 Porter v. Lake Ladonna  
 Gant v. Lusby Condos  
 Bell v. State of New Mexico  
 Lipton v. Wilhite  
 Morel v. Morel  
 Herschbach v. City of Tower  
 Prieto v. North American, et al.  
 Rovar v. Philadelphia Suburban  
 Cooley v. Pheasant Run Condo  
 Woods v. Her Majesty the Queen  
 Quick v. City of Des Moines  
 Bengtson v. Hume Lake Christian Camp, et al.  
 Polgrean v. Pines Resort  
 Coleman v. Riviera Community Club  
 Jarmolowski v.  
 Cantwell v. Boy Scouts of America  
 Kuna v. Lake Sheraton Beach Association  
 Fuller v. Sunny Glen Resort  
 Ryan Avila  
 Schwartz v. Canip Robin Hood

Diving from a dock into shallow water  
 Torn fence, rope-swings over shallow water  
 A running dive off a pier into 3-feet of depth  
 A dive from a private pier into shallow \*Quad  
 Buoy placement invited hurdle-dives \*Quad  
 Shallow water diving injury in a lake \*Quad  
 Dive from a floating raft into shallow water  
 Dive into shallow water of lake  
 Dive from boathouse roof, shallow water \*Quad  
 Dive into shallow water of lake, no depth signs  
 Dive into shallow water of manmade lake \*Quad  
 Dive into lake, hit UW hidden rock \*Quad  
 Dive into shallow water, hidden UW object  
 Dove off I-beam into shallow water \*Quad  
 Dove off platform into shallow gravel pit \*Quad  
 Dive into lake's shallow water, no warnings  
 Patron of lake resort dove from ledge \*Quad  
 Dove off protruding dock into shallow  
 Dove off motel's dock into shallow \*Quad  
 Boy scout ran and dove into shallow \*Quad  
 Dove off dock into 2' water at a party \*Quad  
 Dove off pier into lake at camp \*Quad  
 Teen dove off boat into lake \*Quad  
 15 yr. old boy dove into lake \*Quad

### Ocean / Injury (4 cases – 3-pf / 1-df)

9328 Plaintiff Cleveland, Ohio  
 9653 Plaintiff Brick, New Jersey  
 0036 Defense St. Thomas, U.S.V.I.  
 0137 Plaintiff New York, New York

Griffith v. Mentor Marsh Beach Club  
 Case v. County of Ocean  
 Fabend v. Rosewood/Caneel Bay  
 Buckley v. Sun & Surf Beach Club, Inc.

Child stumbled onto hot embers, beach firepot  
 Stepped on UW hidden metal piece, no warning  
 Bodysurfer was thrown onto beach \*Quad  
 Teen severed finger with nail on lifeguard chair

### Ocean / Drowning (29 cases – 27-pf / 2-df)

8501 Plaintiff Honolulu, Hawaii  
 8507 Plaintiff Miami, Florida  
 8712 Plaintiff Miami Beach, Florida  
 8735 Plaintiff Jacksonville, Florida  
 8741 Plaintiff West Palm Beach, Florida  
 8804 Plaintiff Honolulu, Hawaii  
 8824 Plaintiff Covington, Kentucky  
 8825 Plaintiff Jacksonville, Florida  
 8942 Plaintiff Honolulu, Hawaii  
 9035 Plaintiff Miami, Florida  
 9134 Plaintiff Haulover Beach, Florida  
 9214 Plaintiff Jacksonville, Florida  
 9239 Defense Cancun, Mexico  
 9329 Defense Tallahassee, Florida  
 9432 Plaintiff Mobile, Alabama  
 9436 Plaintiff Moss Point, Mississippi  
 9610 Plaintiff Ft. Lauderdale, Florida  
 9775 Plaintiff Cherry Hill, New Jersey  
 9961 Plaintiff Greenbelt, Maryland  
 0002 Plaintiff Ft. Lauderdale, Florida  
 0013 Plaintiff West Palm Beach, Florida  
 0042 Plaintiff Morris, Minnesota  
 0128 Plaintiff Miami, Florida  
 0136 Plaintiff Honolulu, Hawaii  
 0140 Plaintiff West Palm Beach, Florida  
 0216 Plaintiff Brick, New Jersey  
 0261 Plaintiff Toronto, Ontario, Canada  
 0304 Plaintiff Pensacola, Florida  
 0308 Plaintiff Newport Beach, CA

Sakuma v. City & County of Honolulu  
 Polster v. Hotel Miramar  
 Sievers v. Seabreeze Hotel  
 McCall v. Teledyne  
 Stuting v. Ambassadors East  
 Caires v. City & County of Honolulu  
 Berkshire v. St. Johns Company  
 Hill v. North Beach Camp Resort  
 Kwak/Park v. City & County of Honolulu  
 Zapata v. Metro Dade County  
 Blas v. Metro Dade County  
 Wilson v. American Dredging  
 Granger v. Marriott Hotels  
 Strivlin v. Dykes Properties  
 Calby v. Perdido Racquet Club  
 Lett v. City of Moss Point, MS.  
 Rossitch v. Lago Mar  
 Stearns v. Golden Inn, et al.  
 Jones, et al. v. William Campbell, et al.  
 Paul Lopiccolo  
 Oglesby v. Indian River Plantation  
 Bredvik v. City of Morris  
 Jaimes v. City of Lake Worth  
 Matson v. Schwinn  
 Oglesby v. Indian River Plantation  
 Bianrosa v. Ocean Beach Unit 3  
 Kemo Moshi et al. v. City of Toronto/Police  
 Beasley v. Gulf Coast High School  
 Hernandez v. Barcelo

Field-trip leader drowned attempting a rescue  
 Leader drowned during ocean rescue attempt  
 Hotel guest caught in rip current, drowned  
 Job-corps boy caught in rip current, drowned  
 Buoyed safety line broke, swimmer drowned  
 Unobserved wader was swept out to sea  
 Condo guest caught in a rip current, drowned  
 Resort guest caught in a rip current, drowned  
 2 kids swept to sea, beach-lifeguard inattention  
 Swimmer struggled, beach-lifeguard inattention  
 Lifeguards didn't notice 2 inflatables capsizing  
 Wader swept to sea, failure to post warnings  
 Hotel guest ignored surf warning, drowned  
 Tourist was caught in rip-current and drowned  
 Hotel guest drowned in rough seas  
 Boy that was fishing drowned due to undertow  
 Father drowned in rip current after rescuing son  
 Hotel guest drowned, no warnings posted  
 Teen swept by rip tide while on field trip  
 Man drowned in undertow  
 Man drowned at beach-no lifeguards  
 Boy disappeared while swimming/lfgs. present  
 Teen drowned in lifeguarded beach  
 Child drowned during birthday party on beach  
 Man drowned in public beach, no lifeguards  
 Man drowned surfing, no lifeguards  
 21 year old nonswimmer drowned in waves  
 18 year old caught in undertow, drowned  
 Patron on snorkeling trip drowned in D.R.

### Ocean / Spinal Injury (27 cases – 22-pf / 5-df)

8603 Plaintiff Ixtapa, Mexico  
 8702 Plaintiff Kona Coast, Hawaii  
 8707 Plaintiff San Diego, California  
 8714 Plaintiff St. John's, Antigua

Walters v. Westin Hotels  
 Dagger v. State of Hawaii  
 Valenzuela v. City of San Diego  
 Bard v. Jolly Beach Resort

Shorebreak tumble - failed rescue \*Quad  
 Park patron tumbled by shorebreak \*Quad  
 Dive from a cliff into shallow water \*Quad  
 Running dive onto a shallow sandbar \*Quad



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ACCIDENT RISK MANAGEMENT

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8723 Plaintiff Gainesville, Florida  
 8793 Plaintiff Key West, Florida  
 8813 Plaintiff West Palm Beach, Florida  
 8872 Plaintiff Lake Worth, Florida  
 8912 Plaintiff Stamford, Connecticut  
 8960 Plaintiff Paradise Island, Bahamas  
 9007 Defense St. Lucia, BWI  
 9019 Plaintiff Club Med, Martinique  
 9103 Plaintiff Maui, Hawaii  
 9258 Plaintiff Honolulu, Hawaii  
 9346 Plaintiff Mobile, Alabama  
 9357 Defense St. Croix, U.S.V.I.  
 9452 Plaintiff Lihue, Hawaii  
 9457 Defense Miami, Florida  
 9519 Plaintiff Jacksonville, Florida  
 9520 Plaintiff Jacksonville, Florida  
 9559 Plaintiff Hartford, Connecticut  
 9616 Plaintiff Palm Beach, Florida  
 9620 Defense Key West, Florida  
 9635 Defense West Palm Beach, Florida  
 9643 Plaintiff Cherry Hill, New Jersey  
 9759 Plaintiff New York, New York  
 9925 Plaintiff Philadelphia, Pennsylvania

Galanti v. Manatee County  
 Stromholt v. South Beach Motel  
 Dytko v. Shore Club  
 Kellogg v. Brady & Lake Worth  
 Damiano v. Town of Greenwich  
 DeLuca v. Holiday Inn  
 Watkins v. Canard Line Limited  
 Brown v. Club Med  
 Disalvo v. Intercontinental Hotel  
 Lau v. City & County of Honolulu  
 Wilson v. Gulf Shores Surf & Racquet Club  
 Wells v. Carambola Resort Hotel  
 Bieg v. Waiohai Hotel  
 Garcia v. City of Miami Beach  
 Stommel v. Crosby  
 Kemple, Hoopes v. Crosby  
 Richard De Luca v. Holiday Inn  
 Hackman v. Palm Beach County  
 Howarth v. Hyatt Corporation  
 Pettigrew v. City of Riviera Beach  
 Zeilman v. State of New Jersey  
 Khan v. City of New York  
 Podrasky v. Washington Crossing

Dive off rope-swing into shallow water \*Quad  
 Dive from pier into shallow water \*Quad  
 Dive from a pier into shallow water  
 Dive off rope-swing into shallow water \*Quad  
 Dive off a pier into shallow water \*Quad  
 Diving into a shallow hotel lagoon \*Quad  
 Hotel beach guest dove into surf \*Quad  
 Bodysurfing guest tumbled in surf \*Quad  
 Hotel-front plunging surf injury \*Quad  
 Horseplay at beachfront school outing \*Quad  
 Diving injury, improper signage and warnings  
 Bodysurfing accident resulted in spinal injury  
 Hotel guest struck beach's UW hidden rocks  
 Dive into ocean's unseen UW obstacles  
 Beach patron swung off rope into shallow water  
 Beach patron swung off rope into shallow water  
 Dive into shallow beach area \*Quad  
 Dive into shallow water, lfgd negligence \*Quad  
 Head-first plunge from wading position, \*Quad  
 Dive into shallow water, lfgd. negligence \*Fatal  
 Dive into incoming surf at seashore, paralyzed  
 Head first dive, struck UW rock jetty \*Quad  
 Plunging head first dive into shallow \*Quad

### Above Ground Pool / Injuries (28 cases – 21-pf / 7-df)

8733 Plaintiff Morristown, New Jersey  
 8820 Plaintiff Portland, Oregon  
 8852 Defense Merrick, New York  
 8866 Plaintiff Denver, Colorado  
 8904 Defense Southfield, Michigan  
 8955 Plaintiff Oklahoma City, Oklahoma  
 9046 Plaintiff Little Rock, Arkansas  
 9048 Defense Boston, Massachusetts  
 9153 Plaintiff Chapmanville, West Virginia  
 9236 Plaintiff Sandusky, Ohio  
 9404 Defense West Palm Beach, Florida  
 9407 Defense Plymouth, Michigan  
 9451 Plaintiff Akron, Ohio  
 9466 Plaintiff Jenkintown, Pennsylvania  
 9627 Plaintiff Sacramento, California  
 9866 Plaintiff Mount Clemens, Michigan  
 9923 Plaintiff Quincy, Massachusetts  
 9929 Defense St. Paul, Minnesota  
 9930 Plaintiff Westmont, New Jersey  
 0009 Plaintiff Bossier City, Louisiana  
 0159 Plaintiff Milwaukee, Wisconsin  
 0221 Defense Kearny, New Jersey  
 0223 Plaintiff Columbus, Ohio  
 0224 Plaintiff Paducah, Kentucky  
 0320 Plaintiff Noblesville, Indiana  
 0332 Plaintiff Waukesha, Wisconsin

Cosgrove v. Jensen  
 Amey v. Consolidated Recreation  
 Winant v. Carefree Pools  
 Theodore v. Sears Roebuck  
 Beller v. Home & Roam  
 Mansfield v. Phi Delta Theta  
 Quimby v. Sears & Muskin  
 Cormier v. Ritchburg  
 Adkins v. Lucas & Sears  
 Matter of Schremp  
 Driscoll v. Leisure Bay  
 Goralezyk v. Woodcox  
 Sprunk v. Litehouse Pools  
 Rueda v. Esther Williams  
 Bunch v. Franks, Doughboy  
 Siver v. Campbell  
 McDonald v. Clark  
 Louis v. Louis  
 Gellien v. Miranda  
 Christopher Lynn Reneau  
 Bavvefeldt v. Waupaca County Ins. Co.  
 Tooker v. Fuentes, et al.  
 Little v. Deanna Vest et al.  
 Hammers Estate v. Aloha Pool & Spas et al.  
 Soshe v. Sheaffer  
 Joshua A. Hess v.

Dive from deck into above-ground pool \*Quad  
 Dive from deck into above-ground pool \*Quad  
 Dive into an above-ground pool \*Quad  
 Dive into an above-ground pool \*Quad  
 Child climbed ABG-pool filter, gained access  
 Dive into homemade above ground pool \*Quad  
 Fell from pool ladder into aboveground pool  
 Guest dove into above-ground pool \*Quad  
 Dove from deck into aboveground pool \*Quad  
 Dove into ABG pool off elevated dock \*Quad  
 Dove from deck into above-ground pool  
 Child drowning in ABG pool; poor supervision  
 Child drowned in ABG pool, faulty enclosure  
 Dove into ABG pool, coccyx hit bottom \*Quad  
 Dove from bench on deck of ABG pool \*Quad  
 Dive into shallow, spinal injury  
 Dive head first from deck into ABG pool \*Quad  
 Sliding head first down Aqua Slide, hit bottom  
 Fell over pool rim into dirt ledge, shoulder injury  
 Dive from deck into above-ground pool \*Para  
 Child drowned, found face down in ABG pool  
 Man dove through tube into ABG pool \*QUAD  
 Dive into ABG pool-partially severed spinal cord  
 Child drowned/ABG pool; faulty self-latching gate  
 2 yr. old drowned in ABG pool, fence in disrepair  
 18 month old found in ABG pool, drowned

### Pool / Drowning / Near-Drowning (286 cases – 235-pf / 51-df)

8502 Plaintiff Honolulu, Hawaii  
 8513 Defense Miami, Florida  
 8601 Plaintiff Santa Monica, California  
 8607 Defense Florham Park, New Jersey  
 8609 Plaintiff Fort Lauderdale, Florida  
 8616 Plaintiff Miami, Florida  
 8619 Plaintiff Fort Lauderdale, Florida  
 8704 Plaintiff Santa Ana, California  
 8715 Plaintiff Coral Gables, Florida  
 8729 Plaintiff San Fernando, California  
 8732 Defense Detroit, Michigan  
 8803 Defense Jacksonville, Florida  
 8807 Plaintiff Eastman, Georgia  
 8815 Defense Pittsburgh, Pennsylvania  
 8821 Plaintiff Colorado Springs, Colorado

Juan v. City & County of Honolulu  
 Machin v. Royale Green Condo  
 Butz v. Werner/Schlickemyer  
 Glover v. Morris School District  
 Boyd v. Glendale Federal  
 Germeille v. Manes Inc.  
 Ramos v. Burbars Hotel Corp.  
 Columbia Pham v. Vauthrin  
 Anderson v. Azalea Motel  
 Gonzalez v. San Fernando  
 Patel v. YMCA  
 Moore v. Eberhardt  
 Tillett v. Patel  
 Skell v. Crown American  
 Reeser v. U.S. Swim & Fitness

Distressed pool swimmer, lifeguard inattention  
 Parent failed to supervise child in condo pool  
 Child drowned in pool, lifeguard inattention  
 Unobserved drowning, guarded university pool  
 Child drowned in an abandoned home's pool  
 Unobserved drowning, guest in motel pool  
 Guest drowned in hotel pool, cloudy water  
 Child drowned, faulty enclosure at condo pool  
 Defective shepherd-crook failed during rescue  
 Weak swimmer struggled, rescue unsuccessful  
 Unobserved drowning at guarded YMCA pool  
 Unobserved drowning, child fell into pool  
 Guest drowned in motel pool, unobserved  
 Turbid water drowning, lifeguard inattention  
 Unsupervised swim-workout, fitness club pool

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APPLICANT RISK MANAGEMENT

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8827 Defense Detroit, Michigan  
 8842 Plaintiff Bethesda, Maryland  
 8844 Plaintiff Orlando, Florida  
 8851 Plaintiff Falls Church, West Virginia  
 8854 Plaintiff Landover, Maryland  
 8858 Defense Miami, Florida  
 8859 Defense Lafayette, Louisiana  
 8860 Plaintiff Charleston, West Virginia  
 8903 Defense Honolulu, Hawaii  
 8905 Plaintiff Miami, Florida  
 8906 Defense Wheaton, Illinois  
 8907 Defense Wheaton, Illinois  
 8916 Defense San Francisco, California  
 8919 Plaintiff Orlando, Florida  
 8920 Plaintiff Columbia, South Carolina  
 8928 Plaintiff Miami, Florida  
 8929 Plaintiff Austin, Texas  
 8944 Plaintiff Washington, D.C.  
 8948 Plaintiff Miami, Florida  
 8957 Plaintiff Oklahoma City, Oklahoma  
 9001 Defense Brownsville, Texas  
 9002 Plaintiff Fredericksburg, Virginia  
 9003 Plaintiff Topeka, Kansas  
 9010 Defense Urbana, Illinois  
 9011 Plaintiff Merritt Island, Florida  
 9013 Plaintiff Napoleon, North Dakota  
 9014 Plaintiff Detroit, Michigan  
 9040 Defense Troy, Michigan  
 9034 Plaintiff Toronto, Ontario  
 9054 Plaintiff Miami, Florida  
 9056 Plaintiff Altamonte Springs, Florida  
 9059 Plaintiff Baltimore, Maryland  
 9105 Plaintiff North Charleston, South Carolina  
 9107 Plaintiff Lake Worth, Florida  
 9109 Defense Livonia, Michigan  
 9112 Plaintiff Bloomington, Indiana  
 9115 Plaintiff Columbia City, Indiana  
 9131 Plaintiff Oklahoma City, Oklahoma  
 9133 Plaintiff Pittsburgh, Pennsylvania  
 9139 Defense Tampa, Florida  
 9141 Plaintiff Pensacola, Florida  
 9147 Plaintiff Columbus, Ohio  
 9156 Plaintiff Glenwood Springs, Colorado  
 9164 Plaintiff Lafayette, Louisiana  
 9168 Plaintiff Carlsbad, New Mexico  
 9201 Plaintiff Dallas, Texas  
 9202 Plaintiff Fort Lauderdale, Florida  
 9205 Plaintiff West Palm Beach, Florida  
 9209 Plaintiff Denver, Colorado  
 9210 Plaintiff Birmingham, Michigan  
 9215 Plaintiff Dayton, Ohio  
 9216 Plaintiff Miami, Florida  
 9226 Defense Orlando, Florida  
 9237 Plaintiff Miami, Florida  
 9238 Defense Virginia Beach, Florida  
 9243 Defense Orlando, Florida  
 9249 Defense Fort Lauderdale, Florida  
 9251 Plaintiff Tampa, Florida  
 9253 Defense South Padre Island, Texas  
 9254 Plaintiff Lake Worth, Florida  
 9255 Plaintiff Little Rock, Arkansas  
 9256 Plaintiff Peoria Heights, Illinois  
 9260 Plaintiff Southfield, Michigan  
 9264 Defense Tampa, Florida  
 9266 Plaintiff East Liverpool, Ohio  
 9267 Plaintiff Marietta, Georgia  
 9268 Plaintiff Atlanta, Georgia  
 9301 Defense Coral Gables, Florida  
 9307 Plaintiff Boise, Idaho  
 9312 Plaintiff Brownsville, Texas  
 9325 Plaintiff Austin, Texas

Jaheel v. City of Detroit  
 Araujo v. American Pool  
 Giovanni v. R.W.D.M., Inc.  
 Jatman v. Buckingham Village  
 Briscoe v. Oakcrest Towers  
 Martinez v. Scandinavian Health Clubs  
 Alfred v. Pelletier  
 Thornton v. The City of Milton  
 Takahashi v. Hilton Hotels  
 Hong Quach v. London Apartments  
 Baker/Williams v. Joilet YMCA  
 Johnson/Boyd v. Aurora YMCA  
 Bailey v. Automatic Solar  
 Farless v. Hallmark Pools  
 Raines v. Raines  
 Vida v. Brickell Key One  
 Halaba v. Rossco Holdings  
 Folkenberg v. Kay Management  
 Harris v. Threshold  
 Franks v. YMCA  
 Hernandez v. Carreon  
 Leftwich v. Pool service Company  
 Haynes v. City of Topeka  
 Williams v. Champaign Forest  
 Elder v. Aladdin Motel  
 Moch v. City of Napoleon  
 May v. Moss  
 Fortune v. Ross  
 Robillard v. City of Sudbury  
 Martin v. Sears  
 Smith v. Green Acres  
 Snyder v. State of Maryland  
 Williams v. Remington Forest  
 Gibson v. City of West Palm Beach  
 Ramirez v. Feskorn  
 Shrum v. State of Indiana  
 Rennecker v. Columbia City  
 Thirza v. Eakers  
 Russotto v. Allegheny Valley  
 Hendricks v. Winegard Associates  
 Libs v. Moonspinner Condos  
 Brown v. The City of Dublin  
 Christner v. Glenwood South Lodge  
 Narcisse v. Meadows Apartment Towers  
 Seal v. C.I.S.D.  
 Scott v. 1st Gibraltar  
 Beisher v. Royal Gardens Association  
 Bouie v. United States of America  
 Khandji v. Keystone Resorts  
 Aldridge v. Detroit Board of Education  
 Houser v. NCR  
 Jamal v. Playa Condo Association  
 Azor v. Cardinal Lodging  
 Charlemagne v. Coral Gables Country Club  
 Spady v. East Coast Leisure  
 Dang v. Centex  
 Machado v. Miller  
 Allmond v. Town Toddlers  
 Theodorakakis v. Sunchase IV Resort  
 Pallesen v. City of Lake Worth  
 Lockwood v. Sun Bay Resort  
 Hayes v. Maximus  
 Thurmond v. Jenkins  
 Justin Rodriguez  
 Durban v. Gorby  
 Brown v. Holiday Inn  
 Rowland v. Colquitt  
 Dowman v. Beverly Hills Club  
 Roberts v. Alray Motel  
 Guerra v. South Texas Associates  
 Singh v. Renaissance Parc Apartments

Patron jumped off hi-platform, didn't surface  
 Condo resident drowned, lifeguard inattention  
 Unsupervised child drowned in condo pool  
 Condo resident drowned, lifeguard inattention  
 Condo resident drowned, lifeguard inattention  
 Unsupervised exerciser drowned in health club  
 Boy trespassed into backyard pool, drowned  
 Inattentive lifeguards didn't detect drowning  
 Struggling guest drowned, lifeguard inattention  
 Child drowned, access thru defective enclosure  
 Near drowning, caused by lifeguard inattention  
 8-yr old on pool bottom with cocaine in system  
 Child fell onto floating pool cover & drowned  
 Loose deckplate tipped boy's tricycle into pool  
 Unattended child drowned in residential pool  
 Entrapment on pool drain, rescue unsuccessful  
 Child drowning, attendant's supervision failure  
 Drowning with a struggle, lifeguard inattention  
 Improper supervision of retarded man in pool  
 YMCA pool drowning, lifeguard's inattention  
 Blind child drowned, lifeguard's inattention  
 The Pentagon fitness pool, lifeguard inattention  
 Inattention by lifeguard and group counselor  
 8th grader fell & drowned during water fight  
 Child fell into motel pool and drowned  
 City pool drowning, lifeguard inattention  
 Double drowning in pool that was defective  
 Child slipped beneath pool cover & drowned  
 Near-drowning, pool staff conduct negligence  
 Swimmer collided with protruding sidewall cap  
 Drowning, truant trespassing on campground  
 Supervision lapse of a 3 year old toddler  
 Child drowned, defective apartment pool gate  
 Boy climbed fence into city pool and drowned  
 Drowning, girl disappeared during eve-party  
 Body found on bottom, lifeguard inattention  
 Student drowned in pool during swim test  
 YMCA pool drowning, lifeguard inattention  
 Retarded man in class drowned wearing a PFD  
 Non-swimmer drowned in condo pool  
 Condo resident discovered on bottom of pool  
 Drowning, inattentive lifeguards congregating  
 Drowning, fog-visibility, lifeguard inattention  
 Non-swimmer drowned, no float line at break  
 Lifeguards not furnished for retarded persons  
 Drowning, pool access thru defective enclosure  
 Submerged swimmer trapped behind ladder  
 Child downed, defective patio-pool enclosure  
 Child drowned, attendant's supervision failure  
 Drowning during class, lifeguard inattention  
 Unobserved drowning, lifeguard inattention  
 Child drowned, access thru faulty enclosure  
 Boy and his family ignored warning signs  
 Body in murky bottom, lifeguard inattention  
 Unattended child fell into aboveground pool  
 Drowning, improper supervision of child  
 Drowning, cloudy water in hotel pool  
 Child drowned in murky residential pool  
 Unsupervised child drowned in condo pool  
 Drowning in city pool, lifeguard inattention  
 Drowning, following a shallow water blackout  
 Drowning, arm entrapment on pool drain  
 Drowning in class, swim-coach's inattention  
 Unobserved drowning in apartment pool  
 Child drowning, improper parental supervision  
 Unobserved drowning in hotel pool  
 Unobserved drowning in hotel pool  
 Drowning, inappropriate pool supervision  
 Near-drowning, improper pool supervision  
 Child drowning, pool water was very cloudy  
 Child gained access thru faulty pool enclosure



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ATOMIC RISK MANAGEMENT

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9334 Plaintiff Mt. Kisco, New York  
 9335 Plaintiff Miami, Florida  
 9345 Defense Miami, Florida  
 9348 Plaintiff McAllen, Texas  
 9353 Plaintiff Jackson, Mississippi  
 9358 Defense Peoria, Illinois  
 9361 Plaintiff North Miami Beach, Florida  
 9403 Plaintiff Longwood, Florida  
 9411 Plaintiff Charleston, Illinois  
 9413 Plaintiff Midlothian, Virginia  
 9419 Plaintiff Avon, Colorado  
 9423 Defense Tampa, Florida  
 9424 Plaintiff Dallas, Texas  
 9430 Plaintiff Orlando, Florida  
 9437 Plaintiff Grand Rapids, Michigan  
 9438 Plaintiff Baltimore, Maryland  
 9442 Plaintiff New Orleans, Louisiana  
 9447 Plaintiff Fort Collins, Colorado  
 9449 Plaintiff Houston, Texas  
 9470 Plaintiff Farmington Hills, Michigan  
 9478 Plaintiff Miami, Florida  
 9501 Plaintiff Richmond, Virginia  
 9503 Plaintiff Urbana, Ohio  
 9504 Plaintiff Baltimore, Maryland  
 9511 Plaintiff Virginia Beach, Virginia  
 9513 Defense Houston, Texas  
 9514 Defense Cameron, West Virginia  
 9516 Plaintiff Grand Rapids, Michigan  
 9517 Plaintiff Grand Rapids, Michigan  
 9531 Plaintiff Decatur, Indiana  
 9547 Defense Kissimmee, Florida  
 9549 Defense Jackson, Mississippi  
 9561 Defense Salem, Virginia  
 9564 Plaintiff Washington, DC  
 9573 Plaintiff Cleveland, Ohio  
 9619 Plaintiff Edmonton, Alberta  
 9622 Defense St. Petersburg, Florida  
 9648 Plaintiff Gaithersburg, Maryland  
 9654 Plaintiff Lafayette, Louisiana  
 9658 Plaintiff Phoenix, Arizona  
 9660 Plaintiff Southaven, Mississippi  
 9661 Plaintiff Houston, Texas  
 9666 Plaintiff Raleigh, North Carolina  
 9667 Plaintiff Miami, Florida  
 9668 Plaintiff Birmingham, Alabama  
 9702 Plaintiff Miami Beach, Florida  
 9703 Defense Ft. Worth, Texas  
 9712 Plaintiff Charleston, West Virginia  
 9715 Plaintiff Tuscaloosa, Alabama  
 9719 Plaintiff Boca Raton, Florida  
 9723 Plaintiff Nashville, Tennessee  
 9724 Plaintiff Cherry Hill, New Jersey  
 9725 Plaintiff Lake Charles, Louisiana  
 9727 Plaintiff Miami, Florida  
 9732 Plaintiff Miami, Florida  
 9742 Plaintiff Jefferson, Indiana  
 9748 Plaintiff Birmingham, Alabama  
 9756 Plaintiff Bossier City, Louisiana  
 9757 Plaintiff Jacksonville, Florida  
 9760 Plaintiff Orlando, Florida  
 9761 Defense Columbus, Ohio  
 9773 Plaintiff New Haven, Connecticut  
 9774 Plaintiff Pueblo, Colorado  
 9805 Plaintiff Tampa, Florida  
 9807 Plaintiff Cincinnati, Ohio  
 9810 Plaintiff El Paso, Texas  
 9813 Plaintiff Milwaukee, Wisconsin  
 9814 Plaintiff Brandon, Florida  
 9815 Plaintiff Southfield, Michigan  
 9817 Plaintiff Mobile, Alabama  
 9825 Plaintiff Coral Gables, Florida

Alvarez v. Greentree Country Club  
 John v. Bhairavi, Inc.  
 Spinola v. Sea Breeze Hotel  
 Mahan v. City of McAllen  
 Washington v. Eden Pointe Condominium  
 Salgado v. Pattel  
 Moreno v. Kensington Gardens  
 Waters v. Econolodge  
 Busey Bank v. Boatman's National  
 Bishop v. YMCA of Chester, VA  
 Doster v. Eagle River Village  
 Akins v. Mac Associates  
 Cruz v. The Enchantment Inn  
 Price v. Econolodge  
 Estate of Ryan Surach v. Days Inn  
 Morman v. Ramada Inn  
 Jones v. Orleans Parish School Board  
 Anderson v. Colorado State University  
 Chao v. T&M Management, Inc.  
 Blacksheare v. Tuma  
 Granger v. Surcomber Hotel  
 Luebbers v. Ft. Wayne Pools  
 Kauffman v. City of Urbana  
 Mrozinski v. Ocean City  
 Edwards, Mitchell v. Princess Anne Motor Lodge  
 Monte Rubio v. Winterwood Ltd. Apts.  
 Snuth v. City of Cameron  
 Estate of Kyle Wright  
 Estate of Scott Andrews  
 Vergara v. North Adams  
 Belizaire v. Holiday Villas  
 Benson v. Eastover Realty/MBL  
 East v. Village East Property Association  
 Hicks v. Park Forest Apts.  
 Estate of James Gills  
 Hnatuik v. City of Edmonton  
 Hargrove v. Inn on the Hill  
 Chung v. MNCPPC, et al.  
 Brailley v. Natchez Inn  
 Brownrigg v. Phoenix Manor Apts.  
 Johnson v. Enders  
 Hill v. YMCA  
 Campbell v. Grove Park Joint Ventures, et al.  
 Nolan v. Boy Scouts  
 Foster v. Gadsen; YMCA  
 Phillips v. Best Western  
 Smith v. Corsicana YMCA  
 Perkins v. Concord College  
 Elmore v. Sansing Home  
 Salters & Adams v. Carriage Cross, Ltd.  
 Thalasila v. Dr. Loren Nelson  
 Morrison v. YMCA, et al.  
 Bellow v. YMCA  
 Granger v. Surcomber Hotel  
 Butler v. Security Capital  
 Howell v. Terraco Partnership  
 Colvin v. Econo Lodge, et al.  
 Myers v. Park Place Apartments  
 Johnson v. Children's Home Society, et al.  
 Titus v. YMCA  
 Settle v. Thurber Manor Apartments  
 Mees v. Feder  
 Malave v. Lopez  
 Gonzalez v. Lakeland Regional  
 Miller v. Coney Island  
 Arturo Granados, et al. v. YMCA  
 Estates of Kenneth & Travelle Wheeler  
 Estate of Patrick Kroll  
 Mathis v. Days Inn, et al.  
 Cobb v. Hiway Host Motel  
 Fowles v. Kem & Shapiro

Drowned from diving in pool and hitting head  
 Near-drowning, motel ignored unattended kids  
 Man drowned due to a heart attack in the pool  
 Boy drowned due to entrapment in pool drain  
 Cloudy water prevented a timely rescue  
 Near drowning during rescue attempt  
 Model home pool accessible without barriers  
 Unobserved resident drowning in motel pool  
 Child drowning; lifeguard inattention  
 Child drowning; lifeguard inattention  
 Child gained access thru faulty pool enclosure  
 Boy drowned due to pool drain entrapment  
 Dive into unmarked public pool, drowning  
 Man drowned in hotel pool, cloudy water  
 Child drowned, no barriers or lfg. @ hotel pool  
 Drowning @ hotel pool, no lfgs/saving equip.  
 Drowning in Apartment pool complex  
 Child near drowning during swimming lessons  
 Drowned in condo pool w/o a uniform slope  
 Child drowning, resident supervision failure  
 One time consultation, client declined case  
 Dive into shallow end, resid. pool, drowning  
 Child drowned in public pool, open gate  
 Drowned from overexertion during lfgd exam  
 Double child drowning at motel pool  
 Child drowned in public pool, negl. supervision  
 Child drowned in public pool, lfgd negligence  
 Child drowned in residential pool  
 Child drowned in ditch, no warnings or fence  
 Boy with defective arm drowned in school pool  
 Unobserved child drowning in public pool  
 Non-swimmer drowned, public pool trespassing  
 Dive into public pool, laryngospasm-drowned  
 Dive into public pool, choked on dental retainer  
 Non-swimmer drowned in YMCA pool  
 Unobserved child near drowning, lfgd. negl.  
 Child drowning @ motel pool, negl. supervision  
 Child drowning @ overcrowded public pool  
 Child near-drowning, pool bottom drops sharply  
 Near-drowning, no warnings of drop off \*Fatal  
 Unobserved drowning @ residential pool  
 Child near-drowning, lfgd. negligence  
 Unobserved child drowning, apt. complex pool  
 Child fell into residential pool, near-drowning  
 Unobserved drowning, YMCA pool, lfgd. negl.  
 Unobserved child drowning at hotel pool  
 Child drowning at crowded YMCA pool  
 Drowning, lifeguard negligent, CPR not correct  
 Elderly man fell into pool of nursing home  
 Unobserved child drowning at apt. pool party  
 Thrown into pool, non-swimmer, no pool light  
 Unobserved drowning @ YMCA pool, lfgd negl  
 Unobserved drowning @ YMCA pool, lfgd negl  
 Unobserved drowning of guest in hotel pool  
 Unobserved child drowning at apartment pool  
 Unobserved child drowning, apt pool gate open  
 Hotel guest drowned in pool, very cloudy water  
 Child apt. pool drowning, gate/water violation  
 Disabled child, drowned in residential pool  
 Unobserved child drowning, lfgd. negligence  
 Near-drowning in apt. pool, horseplay  
 Non-swimmer drowned in residential pool  
 Drowning at University pool, lfgd. negligence  
 Psychiatric patient drowned under hospital care  
 Drowning in public pool, lifeguards' inattention  
 Drowning in YMCA pool, turbidity, lfgd. negl.  
 Double drowning at motel pool, staff negligence  
 Unobserved child drowning at residential pool  
 Teen drowned in motel pool, church excursion  
 Teen drowned in motel pool, cloudy water  
 Child near drowning, no barriers \*Fatal

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ADAMATIC RISK MANAGEMENT

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9827 Defense Charleston, West Virginia  
 9838 Plaintiff Birmingham, Alabama  
 9847 Plaintiff Newburgh, New York  
 9851 Plaintiff McAllen, Texas  
 9856 Plaintiff Youngstown, Ohio  
 9859 Plaintiff Platteville, Wisconsin  
 9868 Plaintiff Gladstone, Missouri  
 9869 Plaintiff Bismarck, North Dakota  
 9870 Plaintiff Washington, D.C.  
 9902 Plaintiff San Diego, California  
 9903 Plaintiff Monroe, Louisiana  
 9912 Plaintiff Orlando, Florida  
 9915 Plaintiff Washington, D.C.  
 9919 Plaintiff Corpus Christi, Texas  
 9921 Defense Coral Gables, Florida  
 9922 Defense Honolulu, Hawaii  
 9931 Plaintiff New Orleans, Louisiana  
 9933 Plaintiff Lake Worth, Florida  
 9934 Defense Creve Coeur, Missouri  
 9935 Plaintiff Coral Gables, Florida  
 9936 Plaintiff Montgomery, Alabama  
 9940 Plaintiff Beaumont, Texas  
 9942 Plaintiff Southfield, Michigan  
 9948 Plaintiff Ocala, Florida  
 9954 Plaintiff Jackson, Mississippi  
 9959 Plaintiff Sacramento, California  
 9960 Plaintiff Kalamazoo, Michigan  
 9964 Defense Biloxi, Mississippi  
 0011 Defense Fairfax, Virginia  
 0021 Plaintiff Washington, D.C.  
 0028 Plaintiff Tampa, Florida  
 0029 Plaintiff Monroe, Louisiana  
 0033 Defense Coral Gables, Florida  
 0045 Plaintiff Blacklick, Ohio  
 0046 Plaintiff White Plains, New York  
 0047 Plaintiff Huntsville, Alabama  
 0048 Defense Hartford, Connecticut  
 0050 Plaintiff San Francisco, California  
 0060 Plaintiff Miami, Florida  
 0061 Defense Port St. Lucie, Florida  
 0062 Plaintiff Coral Gables, Florida  
 0068 Plaintiff Jenkintown, Pennsylvania  
 0070 Plaintiff Cleveland, Ohio  
 0106 Plaintiff Miami, Florida  
 0108 Defense Miami, Florida  
 0114 Plaintiff New Orleans, Louisiana  
 0117 Plaintiff Baltimore, Maryland  
 0118 Plaintiff Miami, Florida  
 0121 Plaintiff Santa Ana, California  
 0122 Plaintiff Cleveland, Ohio  
 0126 Plaintiff Kansas City, Missouri  
 0127 Defense Orlando, Florida  
 0129 Plaintiff Clearwater, Florida  
 0131 Plaintiff Winnipeg, Manitoba  
 0141 Plaintiff Charlotte, North Carolina  
 0142 Plaintiff Columbus, Ohio  
 0147 Plaintiff Woodbridge, New Jersey  
 0148 Defense McAllen, Texas  
 0149 Defense Ft. Mitchell, Kentucky  
 0155 Plaintiff Flint, Michigan  
 0157 Plaintiff Jackson, Mississippi  
 0161 Plaintiff Deerfield Beach, Florida  
 0163 Plaintiff Ridgewood, New York  
 0165 Plaintiff Orlando, Florida  
 0170 Plaintiff Dayton, Ohio  
 0205 Plaintiff Indianapolis, Indiana  
 0214 Plaintiff Coral Gables, Florida  
 0220 Plaintiff Wilson, North Carolina  
 0227 Defense West Palm Beach, Florida  
 0230 Plaintiff Las Vegas, Nevada  
 0237 Defense Clearwater, Florida

Heck v. City of Nitro  
 Castagneto v. ERA Wiregrass Realty, et al.  
 Cinthya Vasquez  
 Gonzalez v. Paradise Hotel  
 Broadhurst v. YMCA  
 Vosberg v. Quality Inn South  
 Cetto v. Central Bible Church of Kansas City  
 Hook v. City of Killdeer  
 Rodriguez v. World Pool Source Inc.  
 Sagrado v. City/Borough of Juneau  
 Bosley v. Pearson, Shilo Enterprises, KOA  
 Castaneda v. Brevard Parks & Recreation  
 Rouse v. Milestone Manor Properties  
 Urbano v. Bannmelwood Apartments  
 Pierre v. Sunrise Towers LTD Partnership  
 Kayan v. City & County of Honolulu  
 Davis v. JMH Operating Company, et al.  
 Schulkins v. YMCA  
 Caldwell v. Willows Condominiums  
 Llyod v. Econolodge  
 Lofton v. Village Green Apartments  
 Padgett v. Parkway Mobile Home Estates  
 Conley v. YMCA  
 Jones v. Newport Beachside Crowne Plaza  
 Jackson v. Boys & Girls Club  
 Densley v. Lesley Lock/Home Depot  
 Brittle case  
 Sankey v. Gulf Beach Resort Hotel, et al.  
 Lesane v. Days Inn of America, et al.  
 Sukai Prom-Jackson v. D.C.  
 Voskian & Lewis v. Bayshore Palms Apts.  
 Virginia Jones v. Alfred Antonini, et al.  
 Escarment v. Oak Crest Arms Apts.  
 Evans v. South Side Settlement  
 Tapia v. Manursing Island Club  
 Morris v. Goosepond Colony  
 Allen v. City of Hartford  
 Meek v. Santa Rosa Jr. College  
 Eustace v. Days Inn  
 LeKeith Postel v. Bristol Hotel Corp.  
 Walker v. University Baptist Church  
 Johnson v. Pocmont Hotels Corp.  
 Abshire v. The City of Cleveland  
 Sanville v. Chateau Arms  
 Segurola v. Magicamp & University of Miami  
 Beverly Jones v. Property Management  
 Brown v. Milford Mill Swimming Club, Inc.  
 Pierre v. Sunny Plaza, Inc.  
 Estate of Moss  
 Patterson v. Goldberg Co., Inc.  
 Washington v. Ashley Park Apartments  
 Rucker v. Grosvenor Hotel  
 Goetsch v. Eckerd College  
 Brown v. City of Winnipeg  
 Doerschuck v. YMCA of NC  
 Uddin v. Embassy Suites  
 Estate of Phillip Robertson  
 Gudino v. Miramar  
 Roberts v. City of Covington, KY  
 Henderson v. Saginaw Board of Education  
 Washington v. YMCA, et al.  
 Cid v. Swan's Landing  
 Mazzone v. Lazaroff  
 Cutright v. YMCA  
 Burger v. The Mid-America Management Corp.  
 Taylor v. Helms  
 Hinton v. 2331 Adams Street  
 Clayton Glover  
 Boswell v. Holiday Inn Jensen Beach  
 Norens Summers v.  
 Crankfield v. Clearwater Palms Hotel

Child near drowning in city pool \*Fatal  
 Child near drowning, defective gate  
 Motel guest near drowning, sharp slope \*Fatal  
 Double drowning at motel pool, cloudy water  
 Child drowned in YMCA camp pool  
 Child near drowning in motel pool \*Fatal  
 Child's leg entrapped with pool drain  
 Child drowned in shallow water, lfgd. negl.  
 Child near drowning, crowded pool, lfgd. negl.  
 Teen drowned in guarded pool, lfgd. negligence  
 Child drowned in public pool, cloudy water  
 Child drowned in guarded pool, lfgd. negligence  
 Teen drowned in guarded apt. pool, lfgd. negl.  
 Teen drowned in apt. pool, no lifesaving equip.  
 Child drowned in public pool  
 Shallow water blackout, breath-hold training  
 Drowning at hotel pool, no lifesaving equipment  
 Drowning at guarded YMCA, breath-holding  
 Child drowned in condo pool, no supervision  
 Child drowned in hotel pool, no lifeguard  
 Child drowned in apt. pool, gate not locked  
 Double child drowning, inadequate barriers  
 Child drowned at guarded pool, church outing  
 Child drowned in hotel pool, cloudy water  
 Child drowned in guarded pool, cloudy water  
 Child drowned in residence pool, defective lock  
 Child climbed over chair into apt pool, drowned  
 Blind guest escorted by family to pool, drowned  
 Child found in bottom of hotel pool  
 Man found floating in public pool  
 2 toddlers drowned in apartment pool  
 Young boy's body found in murky public pool  
 Toddler wandered away & found in apt. pool  
 Boy w/camp wandered away & found in pool  
 Non-swimmer thrown in pool by co-workers  
 Girl found on bottom of public pool  
 High school student found on bottom of pool  
 Handicapped student found on bottom of pool  
 Young boy found floating in hotel pool  
 Child found floating in hotel pool  
 Child @ camp nearly-drowns in pool w/lfgs.  
 Non-swimming child drowned in lfgd hotel pool  
 Teenager found at the bottom of public pool  
 Child drowned in apt complex pool  
 Child near drowning during camp, guarded pool  
 Double child drowning in apt complex pool  
 Swimmer drowned in swim test, guarded pool  
 Child with friends at apt pool, drowned  
 Child climbed neighbor's broken fence, drowned  
 Teen drowned in guarded apt pool, cloudy water  
 Teen's shirt caught in pool drain, drowned  
 Child nonswimmer drowned in hotel pool  
 Teen drowned in guarded college pool  
 Teen near drowning in guarded pool  
 Child near drowning at guarded camp pool  
 Child nonswimmer drowned in hotel pool  
 Teen drowned in guarded pool during a party  
 Horseplay and drugs led to drowning  
 Child drowned in municipal pool  
 Teen drowned in high school swim class  
 Child drowned in guarded pool at summer camp  
 Child drowned in apt pool, defective lock  
 Nonswimmer drowned in rental house pool  
 Elderly woman at YMCA pool, near drowning  
 Child drowned in hotel pool during a party  
 Child drowned in neighbor's winterized pool  
 Child drowned in apt. pool, defective gate  
 18 month old nearly drown in rehab pool  
 Teen drown in hotel pool  
 Child drowned in condo complex pool  
 Toddler drowned in motel pool



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POTENTIAL RISK MANAGEMENT

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0241 Plaintiff San Antonio, Texas	Cody Lee v.	Child drowned in pool after gate opens
0246 Plaintiff Miami, Florida	Estate of Metellus v. NR Investments	Drowned in pool
0251 Plaintiff Washington, DC	Estate of Santarasci v. Lafayette College et al.	Drowned in pool doing laps, lifeguard negligence
0256 Plaintiff Huntsville, Alabama	Wilson v.	7 year old child drowned in resort pool
0257 Plaintiff Annapolis, Maryland	Jaalen Teron Ebron v.	8 year old child drowned in day camp pool
0302 Plaintiff Ft. Lauderdale, Florida	Bell for Estate of Gloria Meyerson v. Willowood	86 year old woman drowned in pool
0303 Plaintiff Milwaukee, Wisconsin	Haji Javed v. American World	Poor swimmer, entered deep end and drowned
0306 Plaintiff Xenia, Ohio	Roper/Estate of Devon Simon v. Holiday Inn	Child old drowned in hotel pool at birthday party
0310 Plaintiff Toledo, Ohio	Mariasy v. YMCA	Child old unattended at pool, no lifgd., drowned
0312 Plaintiff Orlando, Florida	Hackney v. YMCA	Child. old girl drowned in YMCA pool
0325 Plaintiff Alvin, Texas	Smurch v. Thurmond, et al.	16 yr. old drowned in pool, lifeguard inattention
0327 Plaintiff Flint, Michigan	McLaurin v. Beecher High School	H.S. student drowned during swimming class
0333 Plaintiff Ft. Myers, Florida	Leah Brown v. Krohn Family	Child drowned in residential pool, broken fence
0341 Plaintiff Youngstown, Ohio	Karaline Vince v.	Child drowned in residential pool, murky water
0343 Plaintiff Woodbridge, New Jersey	Williams v. Vedral	Child drowned in neighbors pool, gate enclosure
0344 Plaintiff Ft. Myers, Florida	Horne v. YMCA & The Champion Organization	6 yr. old girl drowned in lifeguarded YMCA pool
0349 Plaintiff Ft. Lauderdale, Florida	Charles v.	Child drowned in apt. complex swimming pool
0359 Plaintiff Washington DC	Simon v. Washington DC	22 yr. old drowned in lifeguarded apt. pool
0361 Plaintiff Houston, Texas	Hunter Medina v. Channings Mark Apt.	Child drowned in apt. pool, broken gate
0363 Defense West Palm Beach, Florida	Villareal v. Gables Residential	6 yr. old boy drowned in apt. complex pool
0366 Plaintiff Aberdeen, South Dakota	Brown v. The River Group dba Super 8 Motel	Child drowned in Super 8 Motel pool, clarity
0368 Plaintiff Baltimore, Maryland	Regina Bridgeford v. Guy Thomas Taylor, et al	19 yr. old drowned in lifeguarded city pool
0374 Plaintiff Toledo, Ohio	Prabir Nandy v. Sunshine Inc. of NW Ohio	Rough housing in pool, child drowned
0375 Plaintiff Melbourne, Florida	Blicharz v. Holiday Inn	UW light was out, child drowned

### Pool / Hot Tub - Spa Injury (26 cases - 22-pf / 4-df)

8835 Plaintiff Miami, Florida	Leenen v. Rutters Lodge	Pregnant bather fetus injury, overheated water
8840 Plaintiff Colorado Springs, Colorado	Miller v. Ojo Caliente Hot Springs Resort	Bather slipped and fell in hot tub, head injury
9246 Defense Orlando, Florida	Bowman v. Lake Fredrica Condos	Suction entrapment against spa bottom *Fatal
9474 Plaintiff Seattle, Washington	Andres v. YMCA	Unobserved hot tub drowning, overheated water
9479 Plaintiff Beaufort, South Carolina	O'Brien v. Spa Crest Manufacturing	Unobserved drowning, asphyxiation in spa
9507 Plaintiff Tucson, Arizona	Herrera v. Rio Cancion Apts.	Unobserved child drowning in Jacuzzi
9521 Plaintiff Hato Rey, Puerto Rico	Calderon v. Condado Plaza Hotel	Guest fell from Jacuzzi stairs, handle too hot
9623 Plaintiff Columbia Falls, Montana	Eisentraut v. Fisher	Hair suction entrapment with drain *Fatal
9629 Plaintiff Roanoke, Virginia	LeGrande v. New Fitness Corp.	Unobserved drowning in spa, no warnings
9630 Plaintiff Newark, New Jersey	Nickens v. Atlantic Club	Drowning, spa drain suction entrapment
9639 Defense Washington, D.C.	Boulay v. Winegardner & Hammons	Child drain entrapment, disembowelment
9640 Plaintiff Calgary, Alberta	O'Neil v. Barry Brooking	Unobserved spa drowning, highly intoxicated
9649 Plaintiff Miami Beach, Florida	Moro v. Fountainbleau, et al.	Spa drowning, hair-drain entrapment
9717 Plaintiff Puerto Rico	Podd & Thomas v. Carnival Corp.	Sauna excessive heat temperature caused burns
9746 Plaintiff Huntington, West Virginia	Reams v. Dimension One Spas	Drain suction entrapment, near drowning
9820 Plaintiff San Bernardino, California	Wood et al. v. Kline	Child drowned in uncovered, ungated spa
9913 Plaintiff St. Petersburg, Florida	Tackett v. Shaffer & Landmark Pools	Bather fell onto PVC pipe in Jacuzzi
0039 Plaintiff Lowell, Massachusetts	Conor Lynch v. Red Jacket Mountain View	Child suffered burns by excessive heat in sauna
0054 Defense Hollywood, Florida	Strasnick v. Laurel Pointe Condo	Elderly man found dead in apt. complex Jacuzzi
0057 Plaintiff Miami, Florida	Estate of Rodriguez	Child got hair caught in neighbor's pool drain
0066 Defense Ft. Lauderdale, Florida	Wirtshafter v. Fisher Island Club	Club member suffered injury from suction valve
0103 Plaintiff Kansas City, Missouri	Bicheimeyer v. Spa Heaven, et al	Drain suction entrapment, near drowning
0119 Plaintiff Cincinnati, Ohio	Cornelius, et al v. Jacuzzi & Holiday Inn	Drain suction entrapment in hotel's jacuzzi
0217 Plaintiff Calabasas, California	Manville v. Beemer et al.	Bather injured-spa skimmer suction entrapment

### Pool / General (44 cases - 34-pf / 10-df)

8506 Defense Mobile, Alabama	Hamilton v. Arneson Products	Head injury, striking a floating pool sweeper
8618 Plaintiff Fort Lauderdale, Florida	Dunn v. Kings Harbor Apartments	Dive into shallow end, condo pool
8622 Defense Clearwater, Florida	Flurkey v. Tri City Motel	Leg entrapment behind pool ladder
8809 Plaintiff Miami Beach, Florida	Lehman v. Lifter Hotel Corporation	Swimmer collided into protruding fill-pipe
8910 Defense Miami, Florida	Marco Polo Hotel & Waikiki Hotel	Gave risk management safety seminar
8917 Defense Los Angeles, California	Cross v. U.S. Masters Swim	Defective goggles worn during water polo
8933 Plaintiff Jacksonville, Florida	Brown v. U.S. Masters Swim	Competitive swimming over-stress
9043 Plaintiff Houma, Louisiana	Summers v. YMCA	2nd diver struck surfacing diver
9045 Defense South Daytona, Florida	Quencer v. Cypress Village	Unsuccessful resuscitation effort
9140 Plaintiff Tallahassee, Florida	Stephenson v. Pleasure Time	Jumped from board and struck pool ladder
9212 Plaintiff Miami, Florida	Fredella v. Williams	Dove into pool from top of patio-roof
9218 Plaintiff Cleveland, Ohio	Brown v. Scandinavian Health Clubs	Health-club employee gave improper CPR
9245 Plaintiff Frog Hollow, New Jersey	Bradshaw v. Frog Hollow	Double-bouncing on diving board, knee injury
9460 Plaintiff Newton, Iowa	Bowman v. Newton School District	Inexperienced diver hit board with face, no lifg.
9463 Defense Miami, Florida	Lacy v. Scandinavian Health/Spa	Swimmer attacked in gym pool by roudy group
9471 Plaintiff Fairfax, Virginia	Wallace v. Reston Home Owners Assn.	Fell from a park's diving board, failure to warn



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AQUATIC RISK MANAGEMENT

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9624 Defense West Palm Beach, Florida  
9656 Plaintiff Windsor, Ontario  
9821 Plaintiff Fort Lauderdale, Florida  
9830 Defense Woodstown, New Jersey  
9850 Plaintiff Las Cruces, New Mexico  
9862 Plaintiff San Juan, Puerto Rico  
9937 Plaintiff Charlottesville, Virginia  
9950 Consult Ft. Lauderdale, Florida  
9951 Plaintiff El Paso, Texas  
9963 Plaintiff Miami, Florida  
0031 Defense Coral Gables, Florida  
0043 Defense Nassau, Bahamas  
0146 Plaintiff New Haven, Connecticut  
0172 Defense Hialeah, Florida  
0229 Plaintiff West Columbia, South Carolina  
0249 Plaintiff New Orleans, Louisiana  
0259 Plaintiff Owensboro, Kentucky  
0260 Plaintiff Tampa, Florida  
0311 Plaintiff Calabasas, California  
0328 Consultant Hialeah, Florida  
0348 Plaintiff Pascagoula, Mississippi  
0355 Plaintiff Brooklyn, New York  
0356 Consultant Miami, Florida

Smith v. Brennan  
McKinnon v. McKay  
Wuensch v. Carnival  
Chestnut Run Swim Club  
Maldonado v. City of Las Cruces, et al.  
Moran v. WMS Industries, Inc.  
Metro v. University of VA Host Properties  
Mandy Rittenberg  
Benjamin Smith  
Hasty v. Boys & Girls Club  
Lorenzo Peterson v. Village Apts.  
Humphrey v. Sun International Bahamas  
Balentine-Gunn v. Condado Plaza Hotel  
Castillo v. City of Hialeah  
Vogt v. Marley Co. & John Doe Corp.  
Pierre v. Holy Cross College, Inc. et al.  
Dillion v. Atlantic Swim Club  
Vallejo v. Vallejo  
Miuccio v. Hall  
City of Hialeah  
Bussard v. St. Andrew's Golf Club  
David Mishael v.  
Fountainbleau Hotel

Skimmer lid of resid. pool hit & lacerated testes  
Dive into shallow end of pool  
Slider's leg injured with padded bottom  
Pool inspection consultation  
Child lacerated achilles with ladder  
Guest lacerated head with sharp pool edge  
Guest stepped onto pool cover, no warnings  
Consultation on residential pool safety design  
Leg suction-drain entrapment in kiddie pool  
Camper molested underwater in crowded pool  
Young boy caught in uncovered main drain  
Boy caught in main drain  
Slider's leg fractured, landed in shallow water  
Child's eye injured by another swimmer in pool  
Dive off 3 meter board - neck/back injuries  
Injured arm rescuing a near drowning  
Child fell on diving board ladder, injuries  
14 year old dove into pool, sustained injuries  
Lady struck bottom of pool sliding head first  
Consultant for Hialeah swimming pools  
Rough housing in pool, girl's head was injured  
Smacked face on pool basketball hoop  
Consultant for Fountainbleau Hotel

### Pool / Slip - Fall Injury (30 cases - 24-pf / 6-df)

8617 Plaintiff Morristown, New Jersey  
8724 Plaintiff Rochester, Minnesota  
8736 Defense Miami, Florida  
8845 Defense Coral Gables, Florida  
8959 Plaintiff Greensburg, Pennsylvania  
9055 Defense Gainesville, Florida  
9242 Plaintiff Owings Mills, Maryland  
9340 Plaintiff Miami, Florida  
9421 Plaintiff Philadelphia, Pennsylvania  
9453 Plaintiff Avon, Colorado  
9486 Plaintiff Avon, Colorado  
9502 Plaintiff Clearwater, Florida  
9560 Plaintiff Wheeling, West Virginia  
9570 Plaintiff Huntington, West Virginia  
9651 Defense Lafayette, Louisiana  
9737 Plaintiff Santa Monica, California  
9741 Plaintiff Orlando, Florida  
9771 Plaintiff College Park, Maryland  
9905 Plaintiff Ellicott City, Maryland  
9911 Plaintiff Chicago, Illinois  
0004 Plaintiff Orlando, Florida  
0012 Plaintiff Orlando, Florida  
0052 Plaintiff Bowling Green, Ohio  
0056 Defense Orlando, Florida  
0145 Plaintiff Lake Wales, Florida  
0209 Plaintiff Oklahoma City, Oklahoma  
0236 Plaintiff Knoxville, Tennessee  
0250 Plaintiff Coral Gables, Florida  
0307 Plaintiff Buffalo, New York  
0326 Defense Atlanta, Georgia

Pellegrino v. Selavunos  
Sneed v. Rochester Community Center  
Bertot v. Hialeah Tile  
Bertot v. Team Construction  
Cramer v. SwimQuip  
Maizler v. Y.M.C.A.  
Siebert v. JCC  
Matter of Garcia  
Margolith v. Mountain Lake, Inc.  
Wright v. Vail Run Resort  
Morris v. Radisson Resort Vail  
Shuart v. Atrium Villa Apt.  
Ruble v. Village of Barnesville  
Pamela Meade v. Town of Milton  
Smith v. Health Care Fitness of Elmwood  
Ortega v. Keep  
Robinson v. Hyatt  
Bush v. Holiday Inn, et al.  
Nuse v. Gulczynski  
Sonkin v. Arrowhead Health Club, et al.  
MacLeod v. Westgate Lakes  
Forsdick v. Buena Vista Palace Hotel  
Brown v. City of Bowling Green  
Ripp v. Portafino Bay Hotel  
Bell v. Pasco County  
Sally v. Super 8 Motels  
Roien v. Healthcare Property Investors  
Kueter v. Royal Caribbean  
Lewis v. Darien Lake Theme Park & Co.  
Stapp v. Quality Inn of Thomasville

Slipped and hit head, residential pool  
Slip and fall on wheelchair ramp into pool  
Slip and fall from standing water on deck  
Deck wasn't sloped, caused standing water  
Youngster fell from 3-meter diving board  
Child fell from top of 3-meter board's ladder  
Slippery wading pool improperly constructed  
Bather slipped and fell on low diving board  
Slip & fall on non-abrasive pool steps  
Hot tub bather lacerated foot with raised brick  
Hotel floor cleaning fluid caused slip and fall  
Slip and fall when stepping down on pool ladder  
Fall from a high dive platform at public pool  
Diver slip and fall from side of diving board  
Slip and fall upon entering the pool  
Slip and fall from waterfall ledge of spa \*Quad  
Slip on puddle, hit head with edge, fell in pool  
Slip and fall at hotel pool steps  
Slip & fall on pool steps, tread not slip resistant  
Child fell off 3-meter diving board  
Slip and fall from standing water on deck  
Slip and fall in slippery bottom kiddie pool  
Novice diver lost footing on dive board-injured  
Child @ hotel pool after hours slips & falls  
Teen slipped and fell off diving board  
Guest slipped and fell on pool stairs  
Slip and fall causing broken hip  
Child slip and fell on edge of pool slide  
Lady slipped and fell in pool causing injury  
45 yr. old woman slipped on steps, injuries

### Pool / Spinal Injury (73 cases - 60-pf / 13-df)

8505 Plaintiff Atlanta, Georgia  
8512 Plaintiff Kalamazoo, Michigan  
8602 Defense Maitland, Florida  
8611 Plaintiff Atlanta, Georgia  
8709 Plaintiff Sherman Oaks, California  
8717 Plaintiff Hancock, Michigan  
8727 Plaintiff Sherman Oaks, California  
8738 Plaintiff Arcadia, California  
8811 Plaintiff Houston, Texas  
8833 Plaintiff North English, Iowa  
8839 Plaintiff Miami, Florida

Lee v. Equimark  
Kelley v. Vlietstra Brothers  
Journey's End Motel  
George v. Brandy Chase Limited  
Swartz v. County of Los Angeles  
Jarve v. Buswacker  
Kurth v. U.S. Swimming  
Plouffe v. Winston  
Rodriguez v. Summit Point Apartments  
Kleen v. City of Pocahontas  
Wahl v. Metro Dade County

Diving into shallow end of apt. pool \*Quad  
Dive into shallow end of home pool \*Quad  
Dive into shallow end of motel pool \*Quad  
Dive into shallow end of condo pool \*Quad  
Lifeguards failed to stop patrons' horseplay  
Dive into shallow end hotel pool \*Quad  
Competitive swimmer dove into shallow water  
Dive from jump-board into hopper bottom pool  
Dove into pool with deceptive bottom \*Quad  
Twisting dive into shallow water \*Quad  
Dive into shallow water of a public pool

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ATOMIC RISK MANAGEMENT

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8853 Plaintiff Landover, Maryland  
 8901 Plaintiff Saskatoon, Canada  
 8935 Plaintiff Orlando, Florida  
 8937 Defense Baton Rouge, Louisiana  
 8943 Defense Jacksonville, Florida  
 8946 Plaintiff Natchitoches, Louisiana  
 9009 Plaintiff Watsonville, California  
 9017 Plaintiff Birmingham, Alabama  
 9020 Defense Lowell, Massachusetts  
 9022 Defense Harlingen, Texas  
 9137 Plaintiff Boston, Massachusetts  
 9149 Defense Houston, Texas  
 9154 Plaintiff Pineville, West Virginia  
 9169 Plaintiff Elloree, South Carolina  
 9211 Plaintiff Huntington, West Virginia  
 9222 Plaintiff Glen Burnie, Maryland  
 9232 Plaintiff Beaumont, Texas  
 9240 Defense Owensboro, Kentucky  
 9247 Plaintiff San Diego, California  
 9265 Defense Parsippany, New Jersey  
 9323 Plaintiff Brownsville, Texas  
 9352 Plaintiff New Orleans, Louisiana  
 9368 Plaintiff Hialeah, Florida  
 9410 Plaintiff Miami Florida  
 9418 Plaintiff Rockville, Maryland  
 9426 Defense Montreal, Quebec  
 9429 Plaintiff Philadelphia, Pennsylvania  
 9510 Plaintiff Milwaukee, Wisconsin  
 9524 Plaintiff Miami Lakes, Florida  
 9528 Plaintiff Hamilton, Ontario - Canada  
 9562 Plaintiff Santa Ana, California  
 9569 Plaintiff Nashville, Tennessee  
 9609 Plaintiff Muskogee, Oklahoma  
 9617 Plaintiff Brooklyn, New York  
 9662 Plaintiff Barrie, Ontario  
 9663 Plaintiff Campbell, California  
 9722 Plaintiff Columbus, Ohio  
 9728 Plaintiff San Juan, Puerto Rico  
 9744 Plaintiff Los Angeles, California  
 9764 Plaintiff Miami Beach, Florida  
 9818 Plaintiff San Antonio, Texas  
 9819 Plaintiff Atlanta, Georgia  
 0032 Plaintiff Manchester, New Hampshire  
 0040 Plaintiff Newburgh, New York  
 0053 Plaintiff Melville, New York  
 0113 Defense Orlando, Florida  
 0123 Defense Honolulu, Hawaii  
 0135 Plaintiff Lima, Ohio  
 0221 Defense Kearny, New Jersey  
 0248 Plaintiff Melbourne, Florida  
 0305 Plaintiff Conroe, Texas  
 0324 Plaintiff Tampa, Florida  
 0334 Plaintiff Oklahoma City, Oklahoma  
 0346 Plaintiff White Plains, New York  
 0353 Plaintiff Wailuku, Hawaii  
 0364 Plaintiff Tuskegee, Alabama  
 0370 Plaintiff Rutland, Vermont  
 0371 Defense Edison, New Jersey

Leakas v. Columbia Club  
 Bacon v. Cameron & Paradise Pool  
 Colunio v. Radisson Hotel  
 Hampton v. Leisure Systems  
 Hodge v. Lee  
 Clark v. State Farm Insurance  
 Cason v. Best Western Hotel  
 Cockrum v. The City of Hackieburg  
 LaGarde v. McBride  
 Flores v. Ramirez & Hamlin  
 Leger v. Habeshian  
 Klein v. Heron  
 Green v. Pineville  
 Paxton v. Regale Pools  
 Farnsworth v. Cornelius  
 Rose v. Schanne  
 Atkins v. DMC Management Company  
 Merrill v. Darnell  
 Casarez v. Anthony Pools  
 Jackson v. Sevyler  
 Arellano v. Sunrise Condo II  
 Bradley v. Elmwood Condominium  
 Fielding v. Monterey Homes  
 Fabbio v. Carnival Cruise  
 Avrunin v. Stearn  
 Parentau v. Frenchotte  
 Mackintosh v. Hunter  
 Charos v. Allstate Insurance  
 Robelo v. Granado  
 Heather Coulson v. Wellington  
 Womack v. Saddleback Valley  
 Keith Kelly v. Watson's Swimming Pool  
 Foster v. Country Club Estates  
 Valle v. City of New York  
 Burton v. Hudson, et al.  
 Evans v. Lava Hot Springs Resort  
 Day v. Ohio Assn. Baptist Church  
 Rivera v. Marriott International, et al.  
 Jabour v. Westin, et al.  
 Ortiz v. Seacoast Towers  
 Loftis v. EQR Residential & Lodge Apts.  
 Chesla v. Post Properties, Inc., et al.  
 Biron v. International Adjustment Services  
 Fernandes v. Jellystone Park  
 Testaverde v. Lyman  
 Robert Oesterle v. Weller Pool Constructors  
 Chon, et al v. AOAO Lele Pono, Inc. et al  
 Burrell v. Shawnee Country Club, Inc., et al  
 Tooker v. Fuentes et al.  
 Westlake v.  
 Christian Bernd-Striebeck v.  
 Odgen v. Radisson Resort Hotel  
 Jena Carswell v. Wickline Methodist Church  
 Clark v. Kaplan & Island Properties  
 Brilhante v. State of Hawaii  
 Michael Luster v. Memphis Landings Apts.  
 Robert Murphy v. The Woods at Killington  
 Wilson Fuentes v. Swim N' Play Inc.

Dive in shallow water at Country Club \*Quad  
 Dive into shallow residential pool \*Quad  
 Dive into shallow hotel-pool \*Quad  
 Dive into shallow; ignored warning \*Quad  
 Ex-lifeguard dove into shallow water \*Quad  
 Hopper bottom pool with a diving board  
 Hotel guest dove into shallow water \*Quad  
 City pool's water level was low \*Quad  
 Dove into shallow apartment pool \*Quad  
 Drunk trespasser dove into shallow \*Quad  
 Diving into shallow in-ground pool  
 Drunk lifeguard dove into shallow \*Quad  
 Patron dove from lifeguard chair into shallow  
 Dove into shallow water of residential pool  
 Guest dove into a shallow residential pool  
 Diver struck hopper-bottom's upslope  
 Diving injury, deceptive pool bottom  
 Pool warnings & safeguards inadequate \*Quad  
 Pool slide was located in shallow water  
 Tipover of inflatable pool lounger, struck head  
 Pool diving injury, improper warning signage  
 Spinal injury at condo pool, no warning signs  
 Dove into shallow water, wrong depth markings  
 Man entered an un-netted half-filled pool \*Quad  
 Dove into shallow water of a residential pool  
 Dove into shallows of residential pool \*Quad  
 Dove into shallow water of residential pool  
 Drunk guest dove into residential pool, struck bottom  
 Dive into shallow water, negl. pool operation  
 Dive from starting block into shallow pool water  
 Dove into shallow water, coach's instructions  
 Teen pushed into ABG pool shallow end, \*Quad  
 Dove from rooftop, false depth marking \*Quad  
 Dove into shallow water, no warnings \*Quad  
 Pushed into shallows of residential pool \*Quad  
 Jumped off 10m platform, no warnings  
 Ran and dove into shallow water \*Quad  
 Guest dove into shallow water, no signs \*Fatal  
 Head struck an underwater wall in pool  
 Dove into shallow water in condo pool  
 Dive into shallow, no warnings \*Quad  
 Dive into shallow, cloudy water \*Quad  
 Man went down slide headfirst into 3' of water  
 Boy dove in shallow end of pool \*Quad  
 Boy dove off 2<sup>nd</sup> story balcony into pool \*Quad  
 Dove into shallow under pool's waterfall  
 Dove into apt pool's shallow, alcohol consumed  
 Dove into shallow, alcohol consumed \*Quad  
 Dove into shallow pool, spinal injury  
 Dove into residential pool \*Quad  
 Dove into shallow pool \*Quad  
 Guest dove into pool resulting in spinal injury  
 Child dove into pool resulting in spinal injury  
 Dive into pool, no depth markers, spinal injury  
 Student told to dive through hoop, spinal injury  
 Dive into shallow water, no lights, spinal injury  
 Dive into shallow water, fractured neck  
 Man intox., dove into shallow end, spinal injury

### River / Injury or Drowning (6 cases - 4-pf / 2-df)

9606 Plaintiff Gainesville, Florida  
 9853 Plaintiff Toledo, Ohio  
 9910 Defense Baton Rouge, Louisiana  
 0104 Plaintiff Honolulu, Hawaii  
 0107 Defense Olympia, Washington  
 0138 Plaintiff Bogalusa, Louisiana

Kamma v. O' Leno State Park  
 Drew Rouhana v. Harding University  
 Sevin, et al. v. Plaquemines Parish, et al.  
 Landingin v. AOAO Northbrook Melemanu  
 State of Washington v. John K. Lowrance  
 Burnthorn v. Bogue Chitto Tubing & Canoeing

Child fell from floating dock's railing, drowned  
 Slip and fall during excursion to Jamaica  
 Children wading fell in dropoff, triple drowning  
 Double child drowning while swimming  
 Child drowned in campground creek  
 Man drowned during tubing excursion

# River / Spinal Injury (9 cases – 8-pf / 1-df)

8706 Plaintiff Traverse City, Michigan  
 8722 Plaintiff Hernando County, Florida  
 8921 Plaintiff Lovington, New Mexico  
 9145 Plaintiff Las Cruces, New Mexico  
 9252 Plaintiff Birmingham, Alabama  
 9928 Plaintiff Ocean Springs, Mississippi  
 0071 Plaintiff Wichita, Kansas  
 0102 Defense Vancouver, British Columbia  
 0167 Plaintiff Barrie, Ontario

Hensel v. WLAV & Stroh's  
 Cox v. Hernando City  
 Sivils v. City of Carlsbad  
 Lujan v. City of Carlsbad  
 Henderson v. Willow Point  
 Summerlin v. Miss. Wildlife Fisheries & Parks  
 Thompson v. Genesis Health Club  
 Raven v. City of Kamloops, et al  
 Stevenson v. Clearview Riverside Resort

Dive from anchored raft into shallow water  
 Dive into shallow at marked swim area \*Quad  
 Diving from unmarked float-raft in shallow  
 Diving into shallow depth, platform unmarked  
 Dive into shallow from marina pier \*Quad  
 Dive into shallow at swim area \*Quad  
 Dive from cliff into shallow water \*Quad  
 Dive off floating pier into shallow \*Quad  
 Dive into shallow from dock \*Quad

# Skin Diving & SCUBA / Fatality (74 cases – 66-pf / 8-df)

8510 Plaintiff Cozumel, Mexico  
 8604 Defense Grand Rapids, Michigan  
 8701 Plaintiff Georgetown, Cayman Islands  
 8822 Defense Fort Lauderdale, Florida  
 8830 Plaintiff Lynn, Massachusetts  
 8848 Defense Delray Beach, Florida  
 8850 Plaintiff Islamorada, Florida  
 8869 Plaintiff Miami, Florida  
 8932 Defense Birmingham, Alabama  
 9015 Plaintiff Maui, Hawaii  
 9018 Plaintiff Maui, Hawaii  
 9025 Plaintiff Kona, Hawaii  
 9029 Plaintiff Maui, Hawaii  
 9038 Plaintiff Plant City, Florida  
 9052 Plaintiff Ocho Rios, Jamaica  
 9053 Plaintiff Oceanside, California  
 9144 Plaintiff Alexandria, Virginia  
 9161 Plaintiff Stuart, Florida  
 9162 Plaintiff South Hackensack, New Jersey  
 9207 Plaintiff Vortex Springs, Florida  
 9224 Plaintiff Lake Travis, Texas  
 9229 Plaintiff Costa Rica, Central America  
 9311 Plaintiff Boston, Massachusetts  
 9324 Plaintiff Akumal Beach, Mexico  
 9406 Plaintiff Miami Beach, Florida  
 9433 Plaintiff Miami, Florida  
 9441 Plaintiff Miami, Florida  
 9454 Plaintiff La Jolla, California  
 9458 Plaintiff Bradenton, Florida  
 9464 Plaintiff Grand Cayman, Cayman Islands  
 9481 Plaintiff Miami, Florida  
 9484 Plaintiff Saginaw, Michigan  
 9487 Plaintiff Chicago, Illinois  
 9522 Plaintiff Miami, Florida  
 9544 Plaintiff Hazard, Kentucky  
 9558 Plaintiff Panama City, Florida  
 9565 Defense New York, New York  
 9644 Defense Miami, Florida  
 9708 Plaintiff Walnut Creek, California  
 9709 Plaintiff Woodbury, New Jersey  
 9710 Plaintiff Madison, West Virginia  
 9721 Defense St. John, US Virgin Islands  
 9738 Plaintiff Dania Beach, Florida  
 9751 Plaintiff Wreck of Arundo, New Jersey  
 9806 Plaintiff Miami, Florida  
 9808 Plaintiff Xenia, Ohio  
 9823 Plaintiff Baltimore, Maryland  
 9860 Plaintiff Palm Harbor, FL  
 9861 Plaintiff San Juan, Puerto Rico  
 9863 Plaintiff San Diego, California  
 9927 Plaintiff San Francisco, California  
 9962 Plaintiff New York, New York  
 9949 Plaintiff Philadelphia, Pennsylvania  
 0143 Plaintiff Encino, California  
 0116 Plaintiff West Palm Beach, Florida  
 0166 Plaintiff Oakland, California

Moyer v. Klosters Rederi  
 Underhill v. Morley Village  
 Poirier v. Bob Soto's Diving  
 Alexander v. Seaquest  
 Taylor v. Undersea Divers  
 Medina v. Delray Beach  
 Newman v. Boyd  
 Rotibi v. Dade Marine  
 Wintz v. Sea Quest  
 Lahaina Divers  
 Maurer v. Hyatt Hotels Corporation  
 Tancredi v. Dive Makai  
 Velez v. Intercontinental Hotel  
 Anderson v. Callaway  
 Ruffley v. Club Scuba  
 Stewart v. Crocker  
 Myers v. American Watersports  
 Bronniman v.  
 Boswell v. Tekna  
 Jines v. Midwest SCUBA  
 Newman v. PADI & Robert Lake  
 Mayer v. Cornell University  
 Goggin v. Boyle  
 Estate of Scott Aronson  
 Pierson v. Little Palm Island  
 Radunsky v. Thyme  
 Zulick v. Atlantic  
 Saunee v. Harry's Dive Shop  
 Davis v. Sea Quest  
 LeValley v. Carnival Cruise Lines  
 Estate of Marsha Beard  
 Estate of David Lamping  
 Sorensen v. Milliken  
 Azrikan v. RJ Diving Ventures  
 Larry Lyons v. Gay Hoffman  
 Larry Tittle v. Diver's Den, et al.  
 Regan v. Chinnici, Lombnes, Ramirez  
 Dennison v. Ellis  
 Scott v. Oceanic  
 Burke v. Lichtman  
 Michael Adkins  
 Jodice v. Mas  
 Estate of Ricardo Valladares  
 Soellner v. Underwater World  
 Michael Elkins  
 Pacheco v. Club Med  
 Kemper v. Stuart Cove  
 Daniel J. Daly v. SCUBA West, et al.  
 Paul Olivelli v. Coparina Hotel  
 Den Herder v. Kelley, et al.  
 Bosdorf, et al. v. The Vessel Miramar  
 Melendez v. A.T. Reynolds & Sons, Inc.  
 Sturdivant v. Parrots Landing  
 Sennar v. Aloha Dive & Travel, et al  
 Wood v. International Lifestyles, Inc., et al  
 Balour v. Seaquest

Snorkeling excursion off cruise ship \*Fatal  
 Diver became trapped inside a flood-dam gate  
 Underwater buddy-separation & air depletion  
 Diving buddy-pair separation during ascent  
 Instructor left a student alone at class checkout  
 Failed attempt at weightbelt drop, drowned  
 Skindiver accepted air, ascended, embolized  
 Instructor lost student during class checkout  
 Drysuit embolism, jury-rigged weight belt  
 Regulator failure, fatality off charter dive-boat  
 Drowning, resort-course, instr.'s inattention  
 Deep diving, diver went unconscious 120-150'  
 Near-drowning, instructor's inattention in pool  
 Uncertified diver embolized, getting golf balls  
 Instr. with uncertified divers at 240'; 3 deaths  
 Air embolism in pool during drysuit training  
 Instructor got separated from class underwater  
 Drowning, resulted from buddy separation  
 Underwater drowning after buddy separation  
 Embolism, inexperienced diver cave diving  
 Woman drowned during class check-out dive  
 Snorkler drowned during scientific outing  
 Instructor lost student during checkout \*Fatal  
 3-diver team, 1 got lost, divemaster inattention  
 Snorkeling excursion; supervision failure \*Fatal  
 Snorkler decapitated by boat's propeller \*Fatal  
 Incorrect instructions led to bends \*Fatal  
 Buddy separation in rough seas, drowning  
 Defective BC when hose detached from vest  
 Near drowning on cruise line's scuba excursion  
 Diver was overweighted, instr.'s negligence \*Fatal  
 Drowning, tank low in air, buddy separation  
 Student drowned, Instructor lost sight of him  
 Diver's tank low in air, drowned  
 Commercial diver drowned, rope entanglement  
 Diver drowned due to defective pressure gauge  
 Diver buddy separation returning to boat \*Fatal  
 Diver failed to ascend, elected no buddy system  
 Diver drowned, found with no air in tank  
 Diver failed to resurface in breath hold descent  
 Emergency 3-buddy breathing ascent, embolism  
 Snorkler not breathing, revived, died 2yr. later  
 Diver surfaced, went unconscious, \*Fatal  
 Diver drowned: embolism, nonstandard tank mix  
 Triple drowning during technical dive at 250 ft.  
 Improperly weighted diver drowned  
 Diver abandoned during ascent, drowned  
 Diver drowned, rapid ascent, air embolism  
 Diver instructed to rapidly ascend \*Fatal  
 Diver drowned during PADI certification  
 Boat collided into diver in Mexico \*Fatal  
 Two commercial divers trapped under ice  
 Diver drowned, underwater buddy separation  
 Diver drowned, equipment failure  
 Diver drowned in pool during certification  
 Diver's BC failed, rapid ascent



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AQUATIC RISK MANAGEMENT

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0201 Plaintiff Miami, Florida  
 0238 Plaintiff Lexington, Kentucky  
 0255 Plaintiff Huntsville, Alabama  
 0329 Plaintiff Gainesville, Florida  
 0330 Plaintiff Miami, Florida  
 0337 Defense Coral Gables, Florida

Garland  
 Bowling v. FMSM et al.  
 Hitt v. Madison Aquatic & Rec Park  
 Poorman v. Scuba Enterprises  
 Diego Andorice-Kraushaar v. Club Med  
 DiLello, et al. v. Interselect, Inc. dba Burdines

Divers drowned behind instructor  
 Diver/worker entrapped flow pipe suction \*Fatal  
 Diver hit head on bottom of quarry \*Fatal  
 Handicapped SCUBA diver drowned in quarry  
 Child's face mask shattered while snorkeling  
 Failed hookah rig, drowned

## SCUBA / Injury (16 cases – 15-pf / 1-df)

8503 Plaintiff Lake Wales, Florida  
 8836 Plaintiff Albuquerque, New Mexico  
 8918 Plaintiff Merion, Pennsylvania  
 8949 Plaintiff St. Petersburg, Florida  
 9220 Plaintiff Miami, Florida  
 9227 Defense Miami, Florida  
 9441 Plaintiff Miami, Florida  
 9444 Plaintiff St. Thomas, US Virgin Islands  
 9512 Plaintiff Ft. Lauderdale, Florida  
 9529 Plaintiff Gulfport, Mississippi  
 9554 Plaintiff Charlotte Amalie, Virgin Islands  
 9608 Plaintiff Charlotte Amalie, Virgin Islands  
 9647 Plaintiff New York, New York  
 9729 Plaintiff Houma, Louisiana  
 0044 Plaintiff Paia, Maui, Hawaii  
 0139 Plaintiff Honolulu, Hawaii

Morrison v. Luxfer & U.S. Divers  
 Chamberlain v. Yates  
 Buckley v. DIVI Cruises  
 Azzarello v. Board of Regents  
 Choquet v. Ocean Divers  
 Cowan v. Super Shuttle  
 Zulick v. Atlantic Superior Shipping Co.  
 Anglin v. V.I. Diving Schools  
 Maloy v. Denovyer  
 Turnbough v. Ladner  
 Levin v. Letts  
 Anglin v. SSI  
 Griffiths v. Gerber Knife Company  
 Kebodeaux v. Mobil Oil Corp., et al.  
 Giobbi v. Lahaina Divers  
 Reiss v. Hilton Waikoloa Village

Tank exploded, fill-attendant's legs amputated  
 Instructor pulls student down, eardrum rupture  
 Decom-tank was jerked up, diver embolized  
 Student slipped and fell during pool instruction  
 Ascending diver was run over by fishing boat  
 Auto accident injury ruined instructor's career  
 Spvr.'s incorrect instructions lead to bends  
 Scuba student embolized, regulator failure  
 Ascending diver was run over by a boat  
 Diver wasn't instructed to decompress, bends  
 Diver had lung collapse due to instr. negligence  
 Contraindicated ascent training, embolism  
 Scuba knife design defect, no guard-extension  
 Employee suffered cylinder compression injury  
 Diver's legs lacerated by dive boat's propeller  
 Breathing difficulties while in Dolphin lagoon

## Waterpark / General (8 cases – 8-pf – 0-df)

9026 Plaintiff Kissimmee, Florida  
 9034 Plaintiff Miami, Florida  
 9121 Plaintiff Akron, Ohio  
 9225 Plaintiff Detroit, Michigan  
 9338 Plaintiff Fort Lauderdale, Florida  
 9467 Plaintiff Fort Worth, Texas  
 0151 Plaintiff Sherman Oaks, California  
 0234 Plaintiff Newburgh, New York

Staff v. Walt Disney World  
 Roberts v. Hallandale City/Broward County  
 King v. Sunnyside Acres  
 Estate of Cheryl Winegardner  
 Gibson v. Broward County  
 Pidcock v. Hobb's Enterprise  
 Estrada v. Raging Waters  
 Alexander v. Lake Compounce

Drowning, River Country, lifeguard inattention  
 Supervised field trip to lagoon, child drowned  
 Near-drowning, lifeguard inattention, bad CPR  
 Patron died unnoticed from anaphylactic shock  
 Tube capsized, woman fell backward, hit head  
 Drowning in waterpark lake, no lifeguard  
 Tuber suffered spinal injury in collision \*Quad  
 Drowning, child fell off tube into lake

## Waterpark / Flumes (105 cases – 99-pf / 6-df)

8606 Plaintiff Galveston, Texas  
 8713 Plaintiff Jersey City, New Jersey  
 8737 Plaintiff Orlando, Florida  
 8805 Plaintiff Memphis, Tennessee  
 8810 Plaintiff Pomona, California  
 8818 Plaintiff Doylestown, Pennsylvania  
 8826 Plaintiff Pensacola, Florida  
 8828 Plaintiff Memphis, Tennessee  
 8731 Plaintiff San Jose, California  
 8849 Plaintiff Miami, Florida  
 8870 Plaintiff Oklahoma City, Oklahoma  
 8927 Plaintiff Orlando, Florida  
 8931 Plaintiff Coral Gables, Florida  
 8947 Plaintiff Farmington Hills, Michigan  
 9006 Plaintiff Tampa, Florida  
 9012 Plaintiff Stone Mountain, Georgia  
 9023 Plaintiff Pensacola, Florida  
 9024 Plaintiff Dalton, Georgia  
 9030 Plaintiff Sandusky, Ohio  
 9031 Plaintiff Orlando, Florida  
 9047 Plaintiff Minneapolis, Minnesota  
 9049 Plaintiff Tampa, Florida  
 9106 Plaintiff Omaha, Nebraska  
 9129 Plaintiff Palm Beach, Florida  
 9130 Plaintiff Orlando, Florida  
 9135 Plaintiff Tampa, Florida  
 9136 Plaintiff Tampa, Florida  
 9150 Defense Syracuse, New York  
 9155 Plaintiff Jekyll Island, Georgia  
 9158 Plaintiff Pensacola, Florida  
 9163 Plaintiff Allentown, Pennsylvania

Bass v. BRC Waterpark  
 Galczski v. Action Park  
 Schumann v. Walt Disney World  
 Underwood v. Waterslides  
 Valentine v. Raging Waters  
 Grater v. Venice Amusement  
 Stromgren v. Styx River Water World  
 Webster v. Adventure River  
 Loomis v. Raging Waters  
 Jacobs v. Florida Leisure  
 Chandler v. Cooper  
 Alfonso v. Wet 'N Wild  
 France v. Halligan  
 Hill v. Four Bears Waterpark  
 Olsen v. Busch Gardens Waterpark  
 Miller v. Stone Mountain  
 Hester v. Styx River Water World  
 Porter v. White Water  
 Huber v. Cedar Point  
 Workman v. Wet 'N Wild  
 Hardin v. Ulrich  
 Paul v. Busch Gardens Waterpark  
 Rytter v. Top Dog Water Slides  
 Griffith v. Fun 'N' Wheels  
 Cunningham v. Walt Disney World  
 O'Neill v. Busch Gardens Waterpark  
 Jorgensen v. Busch Gardens Waterpark  
 Ferry v. Sevytor  
 Smolder v. Jekyll Island  
 Caldwell v. Waterville USA  
 Shaw v. Wild Water Kingdom

Close-interval sliders collided in splash pool  
 Eardrum rupture, slider was dropped from 13'  
 Fall from elevated T-bar ride into shallow  
 Sliders formed chain & fell when flume broke  
 Close-interval, sliders collided in splash pool  
 Airborne sliders injured from flume's 'bump'  
 Rider hit baffle within flume path, tube flipped  
 Cracked flume sliced open a tube rider's hand  
 Slider suffered spinal injury from drop-slide  
 In-flume wall impact during turn, facial injury  
 Head-first sliding resulted in spinal injury  
 Close interval, tubes collided in splash pool  
 In-flume stoppage horseplay, riders collided  
 Rider collided with flume wall, design defect  
 Rider got herniated disk on waterslide bumps  
 Woman shattered leg on bottom of splash pool  
 Slider's heel struck flume baffle, design defect  
 Slider's leg was injured on splash-pool bottom  
 Flume design defect tore slider's leg sideways  
 Douche injury, didn't warn about crossing legs  
 Spinal injury, slide exit elevation was too high  
 In-flume collision, ejected out & fell to ground  
 Riders collided, leaping from flume to flume  
 Glass slivers in carpet, slider's legs lacerated  
 Close interval sliders collided inside the flume  
 Slider struck knee against splash pool bottom  
 Slider's tube flipped, in-flume wall impact  
 Park failed to remove tube with a loose handle  
 Close interval, in-flume collision, spinal injury  
 Slider struck flume-wall, shattered foot bones  
 Close interval, tubes collided in splash pool



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RECREATION RISK MANAGEMENT

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9167 Plaintiff Tampa, Florida  
 9204 Plaintiff Vernon Valley, New Jersey  
 9208 Plaintiff Tampa, Florida  
 9213 Plaintiff Akron, Ohio  
 9217 Plaintiff Pittsburgh, Pennsylvania  
 9231 Plaintiff Helena, Montana  
 9235 Plaintiff Irving, Texas  
 9244 Plaintiff Vernon Valley, New Jersey  
 9262 Defense Tampa, Florida  
 9321 Plaintiff Orlando, Florida  
 9349 Plaintiff Fort Lauderdale, Florida  
 9354 Plaintiff Kansas City, Florida  
 9360 Plaintiff Florence, Kentucky  
 9362 Plaintiff Miami, Florida  
 9408 Plaintiff Baltimore, Maryland  
 9428 Plaintiff Orlando, Florida  
 9439 Plaintiff Dallas, Texas  
 9443 Plaintiff Manchester, New Hampshire  
 9448 Plaintiff Lafayette, Louisiana  
 9525 Plaintiff Pasadena, California  
 9535 Plaintiff Louisville, Kentucky  
 9550 Plaintiff Marietta, Georgia  
 9575 Plaintiff Dayton, Ohio  
 9601 Plaintiff Augusta, Georgia  
 9604 Plaintiff Jacksonville, Florida  
 9607 Plaintiff Alvin, Texas  
 9612 Plaintiff Irving, Texas  
 9614 Plaintiff Montello, Wisconsin  
 9618 Defense Alton, Illinois  
 9625 Plaintiff Dallas, Texas  
 9631 Plaintiff Fort Worth, Texas  
 9638 Plaintiff Newport, Kentucky  
 9655 Plaintiff Arlington, Texas  
 9716 Plaintiff Columbus, Ohio  
 9740 Defense Concord, California  
 9766 Plaintiff Tucson, Arizona  
 9816 Plaintiff Phoenix, Arizona  
 9833 Defense Grosse Point Woods, Michigan  
 9854 Plaintiff Broomall, Pennsylvania  
 9855 Plaintiff Valparaiso, Indiana  
 9867 Plaintiff Shreveport, Louisiana  
 9914 Plaintiff Los Angeles, California  
 9917 Plaintiff Orlando, Florida  
 9924 Plaintiff Harrisburg, Pennsylvania  
 9956 Plaintiff Huntsville, Alabama  
 9946 Plaintiff Knoxville, Tennessee  
 0009 Plaintiff Miami, Florida  
 0018 Plaintiff Kansas City, Missouri  
 0019 Defense Los Angeles, California  
 0026 Plaintiff Santa Ana, California  
 0027 Plaintiff Albany, New York  
 0030 Plaintiff Phoenix, Arizona  
 0150 Plaintiff Annapolis, Maryland  
 0154 Plaintiff Ft. Worth, Texas  
 0213 Plaintiff Jacksonville, Florida  
 0222 Plaintiff Coral Gables, Florida  
 0239 Plaintiff Kingsport, Tennessee  
 0244 Plaintiff Maitland, Florida  
 0258 Plaintiff Beaumont, Texas  
 0321 Plaintiff Orlando, Florida  
 0322 Plaintiff Orlando, Florida  
 0347 Plaintiff Brunswick, Georgia  
 0351 Plaintiff El Paso, Texas  
 0373 Plaintiff Boston, Massachusetts

Carr v. Busch Gardens Waterpark  
 Lally v. Action Park  
 Moore v. Busch Gardens Waterpark  
 McNally v. Friendship Acres Park  
 Haycraft v. Sandcastle  
 Matter of Viera  
 Carolan v. Wet 'N Wild  
 Mockapetris v. Action Park  
 Weiss v. Busch Gardens  
 Majella v. Wet 'N Wild  
 Giallella v. D.E. Britt Associates  
 Nelson v. Bohl & Associates  
 Rigsby v. The Beach  
 Fuller v. Walt Disney World  
 McNelly v. Tierco Group  
 Dantzsch v. Walt Disney World  
 Ringness v. Praire Surf-Arlington  
 Dicey v. Kings-Queens Court Resort  
 Thompson v. Blue Bayou Waterpark  
 Ezeudu v. Raging Waters Group, Inc.  
 Michelle Curry v. Kentucky Kingdom  
 Jones v. Silver Dollar City  
 Hall v. Waterpark Inc.  
 Langely v. Krystal River Water Park  
 Roland v. Strickland's Landing  
 Garcia v. Sea World of Texas  
 Smith v. Wet 'N Wild  
 Meyer v. Noah's Ark  
 Praprotink v. Adams Architect Association  
 Wells v. Wet 'N Wild  
 Maddoux v. Schlitterbahn Waterpark  
 Flamard v. King's Island Co.  
 Maxwell v. Six Flags; Wet 'N Wild  
 Short v. The Beach  
 Waterworld USA Waterslide incident  
 Gonzales v. Breakers 95  
 Mary Demars v. Waterworld  
 Donelson v. Crots, Monroe KOA Kamp  
 Philip P. Smart v. Morey's Pier, Inc.  
 Toni Burtless v. Splash Down Dunes  
 Orr v. Water Town USA  
 Reynoso, et al. v. Raging Waters, et al.  
 Sarreo v. Wet 'N Wild  
 Wycheck/Walker v. Knoebels, et al.  
 Watts v. Southern Adventures  
 Black v. Ogle's Waterpark  
 Estaver v. Wet 'N Wild  
 Venneberg v. Six Flags Over Texas  
 Tasoff v. Six Flags Over California  
 Peña v. Wild Rivers  
 Nguyen v. Storytown  
 Suter v. Waterworld Limited Partnership  
 McIntosh v. Bayshore Development Corp.  
 Rishig v. NR H20  
 Evans v. ProSlide Technology Inc.  
 Thomas Pretto  
 Cato v. Wetlands Water Park  
 Sullivan v. Walt Disney World  
 Oldbury v. Boomtown USA  
 Boehnlein v. Walt Disney World  
 Velasquez v. Walt Disney World  
 Anthony Mitchell v. Jekyll Island State Park  
 Stills v. Wet N' Wild  
 Randy Fast v.

Splash pool injury, improper instructions given  
 Close interval, tubes collided, defective flume  
 Slider ran into wall at end of deceleration area  
 Child fell thru barrier-bars from 20' high-slide  
 Rider's arms struck slide's sidewall-flanges  
 Drop slide, rider struck splashpool bottom  
 Lifeguard pushed patron against pool stairs  
 Riders collided, improper tube release interval  
 Rider struck splash pool bottom, spinal injury  
 Defective cable-towrope handle severed thumb  
 Rider ejected from flume, defective waterslide  
 Rider suffered knee injury in splashpool  
 Slider struck wall at end of splashpool  
 Knee injury in Typhoon Lagoon's splashpool  
 Slider's leg was injured in splash pool bottom  
 Slider on low inflated tube struck by heavyman  
 Slider ran into preceding riders  
 Slider's tailbone struck bottom of splashpool  
 Supvr. dismissed rider's fear; douche injury  
 Patron received friction burn from slide  
 Riders struck splashpool wall, excess weight  
 Slider's legs jammed as hit splashpool bottom  
 Slider injured while sliding down flume  
 Slider struck wall at the end of slide's run out  
 Slider struck submerged end portion of slide  
 Slider on innertube collided with tunnel flume  
 Tube capsized as hit splashpool, head hit bottom  
 Raft went airborne, injury at impact of descent  
 Slider struck head with slides exit lip  
 Slider in a 3-passenger float, head collision  
 Slider broke leg upon landing in splashpool  
 Slider instructed to descend, collision  
 Slider struck pool with legs apart, douche injury  
 Slider struck coccyx with steps of splashpool  
 32 students clogged slide, broke, excess weight  
 Slider struck flume, pad slipped from under him  
 Double tube rider struck head with flume  
 Close interval in-flume collision, ankle injury  
 Close interval, sliders collided in splash pool  
 Slider flipped, head hit splashpool bottom  
 Slider struck head with flume  
 Slider's foot struck splashpool bottom  
 Rider's tube went airborne, spinal injury  
 Douche injury upon hitting splashpool  
 Flume flipped slider onto stomach, ankle injury  
 Slider injured upon impact with water  
 Slider went down backwards hitting head  
 Family in tube capsized causing injuries  
 2 riders in tube capsized causing injuries  
 Slider in raft capsized fracturing clavicle  
 Slider was sent down backwards-fractured skull  
 Slider was met by wall of water-fractured knee  
 Slider injured upon impact with flume  
 Slider struck splashpool bottom, spinal injury  
 Slider sustained several fractures on waterslide  
 Slider sustained injuries on waterslide  
 Tuber rider hit head on wall, sustained injury  
 Slider sustained injuries on waterslide  
 Slider hit bottom of pool fracturing pelvis  
 Slider rushed into tube, slipped, foot entrapment  
 65 yr. old woman injured on tube slide  
 Sliding down flume, head injury  
 Man went down slide, lost finger in a crack  
 Slider sustained brain damage from speed slide

## Waterpark / General (18 cases - 17-pf / 1-df)

8608 Defense Hollywood, Florida  
 8806 Plaintiff Orlando Florida  
 9032 Plaintiff Tampa, Florida

Boling v. Hartley  
 Locke v. Walt Disney World  
 Magill v. Busch Gardens Waterpark

Submerged entrapment, underwater intake pipe  
 Volleyball dive, shallow sandbar, spinal injury  
 Slip & fall, pool and walkways not demarked

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P. ATIC RISK MANAGEMENT

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9133 Plaintiff Orlando, Florida  
 9477 Developer Miami Beach, Florida  
 9626 Plaintiff Lexington, South Carolina  
 9714 Plaintiff Newport Ritchey, Florida  
 9840 Plaintiff Pensacola, Florida  
 9904 Plaintiff Macon, Georgia  
 9945 Plaintiff Knoxville, Tennessee  
 0160 Plaintiff Miami, Florida  
 0164 Plaintiff Sevierville, Tennessee  
 0203 Plaintiff Brandon, Mississippi  
 0204 Plaintiff Brandon, Mississippi  
 0232 Plaintiff Tampa, Florida  
 0242 Plaintiff El Paso, Texas  
 0357 Consultant Milwaukee, Wisconsin

McGeary v. Wet 'N Wild  
 Watson Island Waterpark Development  
 Smith v. Wild Water & Wheels  
 Olsen v. Busch Gardens  
 Pleasant v. Miracle Strip Amusement Park  
 Trennaman v. Jekyll Island Park  
 Gehrts v. Ogle's Waterpark  
 Smith v. Rapids Waterpark  
 Collins v. Ogle's Waterpark  
 Grant v. Pearl River et al.  
 Elroy Bowles  
 Potwin v. Adventure Island  
 Winchester v. Volcanic Gardens Mgmt.  
 Ron John Cape Caribe Resort

Patron slipped and fell on kiddie pool walkway  
 Consultation services on a proposed waterpark  
 Child near drowning, kid pool drain entrapment  
 Child slip and fall from waterfall attraction  
 Slip & fall on waterslide, no handrails  
 Slip & fall in kiddie pool, abrupt slope  
 Slip & fall at wavepool shore, low COF  
 Slip & fall in splashpool, kneecap fracture  
 Slip & fall in kiddie pool, not slip resistant  
 Patron rented inner tube and drown in river  
 Man drown -stepped in hole in the park's river  
 Slip & fall, mother carrying child  
 Patron injured foot on freefall waterslide  
 Consultant for Ron John Cape Caribe Resort

### Waterpark / Wavepool (25 cases – 24-pf / 1-df)

8739 Plaintiff Dania, Florida  
 8911 Plaintiff Fort Worth, Texas  
 9044 Plaintiff Orlando, Florida  
 9132 Plaintiff Long Beach, California  
 9230 Plaintiff McKinney, Texas  
 9303 Plaintiff Portsmouth, New Hampshire  
 9431 Plaintiff Albuquerque, New Mexico  
 9473 Plaintiff Hillsborough, North Carolina  
 9509 Plaintiff Orlando, Florida  
 9539 Plaintiff San Antonio, Texas  
 9552 Plaintiff Cleveland, Ohio  
 9555 Plaintiff Phoenix, Arizona  
 9556 Plaintiff Brunswick, Georgia  
 9628 Plaintiff Columbus, Ohio  
 9664 Plaintiff Louisville, Kentucky  
 9752 Defense Wisconsin Dells, Wisconsin  
 9801 Plaintiff Savannah, Georgia  
 9916 Plaintiff Las Vegas, Nevada  
 9955 Plaintiff Valdosta, Georgia  
 0067 Plaintiff New Orleans, Louisiana  
 0112 Plaintiff Orlando, Florida  
 0120 Plaintiff San Antonio, Texas  
 0219 Plaintiff Corpus Christi, Texas

Scoma v. Six Flags Atlantis  
 Miller v. Wet 'N Wild  
 Bridger v. Wet 'N Wild  
 Johnson v. Washington Oasis  
 Hoxie v. Wet 'N Wild  
 Wilcox v. Water Country Corporation  
 Gabaldon v. The Beach  
 Hauser v. Emerald Pointe Waterpark  
 Roche v. Wet 'N Wild Orlando  
 Inthasith v. Sea World of Texas  
 Richard Barton v. Funtime, Inc.  
 Escobedo v. Waterworld  
 Rettberg v. Jekyll Island Park  
 Wells v. Funtime, Inc.  
 Detraz v. Kentucky Kingdom  
 Rus v. Family Land, Inc.  
 Myers v. Jekyll Island State Authority Park  
 Salomon v. Wet 'N Wild  
 Buckel v. Wild Waters  
 Lane Savoie v. K & K Ins., et al.  
 George Barrett v. Walt Disney World, Co.  
 Smith, et al. v. Splashtown, et al.  
 Jameson v. Super Splash

Horseplay not stopped in wavepool, fall injury  
 Foot injury when tubes collided and capsized  
 Horseplay not stopped in wavepool, eye injury  
 Sharp flume-edge caused laceration of hand  
 Herniated disk injury in wavepool's shallows  
 Large-wave pattern, created collisions/bleeding  
 Child near drowning, supervision negligence  
 Excessively crowded wavepool collision  
 Child drowning, lfgd. and park negligence  
 Child drowning, kiddie pool united to wavepool  
 Struck by raft, knocked to bottom, spinal injury  
 Child drowning in crowded wavepool, lfgd. negl  
 Tube capsized, struck bottom, lfgd. inattention  
 Unobserved child near drowning, lfgd. negl  
 Head collision in overcrowded pool, lfgd. negl.  
 Nonswimmer found in deep end, lfgd. negl.  
 Float capsized, head struck pool bottom  
 Child pulled underwater, drowned, lfgd. negl.  
 Swimming across pool without waves, lfgd. negl  
 Slider was struck in head by another slider  
 Father nearly drowns in pool while helping son  
 Child missing, found in pool, drowned  
 Woman cut knee on metal grate in wavepool

Total cases (1985 – 2003) 1,197 (100%) ... not including the cases to date in 2004

Plaintiff 988 (83 %)

Defense 209 (17 %)

Last updated: January 2004